



## **Planning and Highways Committee**

Date: Tuesday, 31 May 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, Hitchen, Kamal, Leech, 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 14 April 2022. 7 - 8
- 5. 131344/FO/2021 - Shell UK Ltd, 1081 Stockport Road, Manchester, M19 2RE - Levenshulme Ward** 9 - 38  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. 132489/FO/2021 - Port Street, Manchester, M1 2EQ - Piccadilly Ward** 39 - 158  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 7. 132626/FO/2022 - 48 Store Street, Manchester, M1 2WA - Piccadilly Ward** 159 - 244  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 8. 130922/FO/2021 - 46 Canal Street, Manchester, M1 3WD - Piccadilly Ward** 245 - 268  
The report of the Director of Planning, Building Control and Licensing is enclosed.

9. **131859/FO/2021 & 131860/LO/2021 - 50 Fountain Street, Manchester, M2 2AS - Deansgate Ward**  
The report of the Director of Planning, Building Control and Licensing is to follow.
10. **130387/FO/2021 - The Former Gamecock Public House, Boundary Lane, Manchester, M15 6GE - Hulme Ward** 269 - 336  
The report of the Director of Planning, Building Control and Licensing is enclosed.
11. **132530/FO/2021 - 320 Wilmslow Road, Manchester, M14 6XQ - Old Moat Ward** 337 - 364  
The report of the Director of Planning, Building Control and Licensing is enclosed.
12. **133030/FO/2022 - Land to the South of Cavendish Road, Manchester - Didsbury West Ward** 365 - 394  
The report of the Director of Planning, Building Control and Licensing is enclosed.
13. **Confirmation of the Manchester City Council (Land at car park adjacent to York Street, Didsbury) Tree Preservation Order 2021 - Didsbury West Ward** 395 - 404  
The report of the Director of Planning, Building Control and Licensing is enclosed.

## Meeting Procedure

---

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

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

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

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

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

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



## Information about the Committee

---

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

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

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

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

## Further Information

---

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

Ian Hinton-Smith  
Tel: 0161 234 3043  
Email: [ian.hinton-smith@manchester.gov.uk](mailto:ian.hinton-smith@manchester.gov.uk)

This agenda was issued on **Monday, 23 May 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

This page is intentionally left blank

## **Planning and Highways Committee**

### **Minutes of the meeting held on Thursday, 14 April 2022**

**Present:** Councillor Curley (Chair)

**Councillors:** S Ali, Andrews, Y Dar, Davies, Kamal, Lyons and Richards

**Apologies:** Councillors Baker-Smith, Flanagan, Kirkpatrick, Leech, J Lovecy, Riasat and Stogia

#### **PH/22/18      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 17 March 2022 as a correct record.

#### **PH/22/19      Application for 132530/FO/2021 - 320 Wilmslow Road Manchester M14 6XQ – Old Moat Ward**

This application was for a change of use of the ground floor of a long-established hair salon/barbers in the Fallowfield District Centre, to provide a bar-restaurant at ground floor with a reduced-scale salon in the basement. The 5-bedroom duplex residential flat above the property would be retained.

The proposed bar/restaurant provides 34no. covers internally and in two external seating areas. These offer a further 22no. covers. External seating was proposed in two locations; on the front forecourt which will be separated from the public footpath by a small brick wall with railings and planters, and on a section of unadopted alleyway alongside the site that is within the site. A small (11.2m<sup>2</sup>) single storey rear extension was also proposed to accommodate a toilet block.

Access for the basement salon and flat was proposed via the unadopted alleyway and a new entrance in the rear yard. Segregated bin storage for the bar and residential flat would be taken from the rear yard. A new bin store for the salon was proposed in the side alleyway between the seating area and rear yard access.

A total of 94 neighbours and 1 resident's association were notified of the application. 32 objections and 7 letters of support were received.

The Planning Officer informed the Committee that the applicant had requested a deferral in order to allow time for revisions to be made to the proposed scheme to seek to overcome the recommended reasons for refusal.. The Planning Officer confirmed that they were in agreement with this request.

The Chair invited the Committee to make comments or ask questions.

Councillor Andrews moved the request to defer the application. Councillor Richards seconded the proposal.

## **Decision**

The Committee resolved to agree the deferral of the application to a future date.

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
131344/FO/2021	26 Nov 2021	31 May 2022	Levenshulme Ward

**Proposal** Installation of 7 x electric vehicle charging points, and 2 jet wash bays , together with related canopies, electricity sub station and associated infrastructure

**Location** Shell Uk Ltd , 1081 Stockport Road, Manchester, M19 2RE

**Applicant** Motor Fuel Group Ltd, Gladstone Place, 36-38 Upper Marlborough Road, St Albans, AL1 3UU

**Agent** MBH Design Studio Ltd, Rosemount House, Rosemount Avenue, West Byfleet, KT14 6LB

## Executive Summary

Permission is sought for the installation of 7 x electric vehicle charging points, and 2 jet wash bays, together with related canopies, electricity sub station and associated infrastructure, following revisions to the originally submitted proposal to enable the retention of a significant proportion of the existing grassed area and existing trees to the Cringle Road and Stockport Road frontages. A full report is attached for Members' consideration.

## Description

The proposed development relates to an existing operational petrol filling station with an ancillary shop unit. The filling station site fronts the eastern side of Stockport Road (which is a major radial route out of the City Centre running north to south), close to the junction with Cringle Road, having been in situ and operational for in excess of 35 years. The site is situated in a mixed use area, with offices, retail, gym, hot food shops and residential uses, in the vicinity. There are terraces of houses, flats and detached houses to the west, north and east of the property

The site is accessed from Stockport Road, with 2 no. separate entry/egress points. The existing petrol filling station comprises a large canopy, pumps and sales building, and ancillary facilities associated with filling stations. Access and egress from the site would remain as existing.



The originally submitted application has been revised so that it includes removal of the existing Liquid Petroleum Gas compound, reduces the number of electric vehicle chargers and associated canopies to 7; removes the proposed power packs serving the electric vehicle chargers (due to a change in the type of proposed charger) and the removal of a jet wash and plant room.

The scheme under consideration would comprise the installation of 7no. electric charging points and associated canopies, with a row of four located at right angles to Stockport Road, in proximity to the existing access to the site. A further row of 3no. electric charging points with associated canopies, and two jet washers (with associated canopies and screens) would be located to the rear of the site, with associated infrastructure including a substation and a 'Low Voltage Panel'. The existing trees to the Cringle Road and Stockport Road frontage would be retained, but three trees (two in proximity to Cringle Road frontage) and a group of birch trees at the rear of the site would need to be removed to enable the installation of the charging points and jet washer facilities. The landscaping scheme includes additional tree planting to the retained grass area to offset the loss of trees.

#### Planning History

125753/FO/2019 - Installation of new jet wash to forecourt.  
Shell UK Ltd, 1081 Stockport Road, Levenshulme.  
Approved subject to conditions 12.06.2020

#### **Consultations**

Community Group comments – observations have been received from the Bee Sanctuary Movement (a Local Community Charity based in Levenshulme) in relation to the originally submitted plans. They advise that they are working with the Neighbourhoods Officer and local councillors to restore Nature to Levenshulme and creating more Bee Sanctuaries.

They advise they have been discussing the proposed triangle of green space at the Stockport Road/Cringle Road junction, for its potential as a biodiverse wild green area with wildflowers welcoming people into the City. Whilst they welcome and support the provision of electric car charging points, they request further consideration be given to the layout to reduce the loss of the greenspace and sought the removal of the originally proposed 3 no jet washes from the scheme.

Local residents and local businesses – 5 emails were received objecting to the originally submitted plans on the following grounds:

- Objections in relation to the proposed jet washes close to residential properties and communal areas on the grounds of noise, dirt, and environmental costs.
- The removal of green space and established mature trees in favour of an extended forecourt. is not an acceptable approach to development in this current global ecological emergency. The wider ecological impact of tree removal is not only arrogant, but very depressing and upsetting. The Council has a duty of care to local people and to the environment.
- Residents believe the green space is Council owned and question why are the Council selling off land to allow development such as this to happen? They state that if the Council are committed to the Clean Air Act, then cutting down trees and removing green space is not the way to demonstrate commitment.
- The soft landscape plan submitted fails to remediate for the loss of such established trees including a semi-mature oak tree. There is lack of biodiversity in the planting such as using a single species for the hedge which is shown in short sections.  
The grass area was left to grow long last year with some mown paths through as agreed with the Council maintenance team (initiated by local residents) and, as a consequence was full of insects and some wildflower species took hold and it looked beautiful. All this will be gone if this application is approved.
- The existing petrol filling station operator is a major contributor to noise and litter on the streets and in the alley ways between the houses and the shop. Complain that whilst the business picks up litter within their site, they take no responsibility for litter deposited outside their site. The Council has not used the business rates to clear litter associated with the business.
- The existing garage generates high noise levels already due to 24hour opening, and when a jet of water hits a car it will be noisy and cause a disturbance to local residents. Furthermore, the sound of the equipment will add to the levels of noise.
- Concerns are expressed that the noise pollution survey was conducted in lockdown, which also suggests that the sound of the road will mask the sound of the proposed additions. There are other factors to consider such as extra people on the forecourt and the playing of music from cars...something that already affects residents throughout the night. It is however, stated that any complaints made to the garage have been dealt with and they have always been cooperative, but they hope the applicant can come up with a greener scheme.
- State that residents have developed the outdoor spaces behind their houses, having cleared up years of mess, and developing the land around the sub-station to enable community use. They are of the view that if the development

is implemented dirt from vehicles being washed will become airborne, and adversely impact this site and associated noise levels will render this space unusable, together with their gardens behind the development.

- The petrol filling station previously had a jet wash which led to local residents washing being sprayed with water, and the associated noise led to children not being able to sleep.
- The noise and dirt will deter use of this area by local wildlife.
- There are numerous and established carwash businesses just within a short walking distance of this petrol station, the jet washes are not needed, particularly as water is at a premium.
- Have no objection to installation of the proposed electric charging points, but queries the need for the provision of eight. They query whether this provision could be phased as demand increases over time and then replace some of the petrol pumps. They further advise that the petrol station had one installed a few years ago which has since been removed due to lack of use.
- The existing petrol filling station is a hub for anti-social behaviour and operates on a 24 hour basis. The proposed charging points should be incorporated into the existing footprint or at least not encroach too much onto the grass verge and offset with some new trees/wildflower meadow.
- The proposed development would be detrimental to health.
- The forecourt is closed during the night and this affects the safety of the area of Levenshulme, as there is no one to guard the area

A further email has been received from a resident who made comments on the originally submitted plans, advising that some of the amendments on the interim revision were welcome including the retention of more trees and the removal of the jet wash bays. However, they state the objection in respect of the loss of the mature oak tree together with the lack of mitigation for the reduction of green space and the removal of many other native screening trees. They further advised that whilst a move away from petrol to electric cars was very welcome they felt that this should not be at the cost of felling mature, native trees. They sought the retention of the oak tree and other trees on site and asked that this be given weight in terms of visual, amenity and environmental impact not only for their immediate area, but as part of the bigger and more urgent global problem being faced.

In addition, concerns were raised in regard to the use of at a 2.4m high grey timber hit and miss fence around the substation and LV Panel, and associated visual impacts, and suggested the use of hedging or planting.

Following the submission of a further revised layout, the following objections were received from 21 local residents, some of whom also commented on the originally submitted plans;

- Very disappointed that two jet washes form part of the revised scheme and reiterate concerns in relation to water spray and noise adversely affecting local residents, and that the petrol station already generates a lot of noise from cars revving their loud engines and blaring music. Furthermore, that litter is generated from the current operation, and the business has a 24hr alcohol licence.



- Whilst retaining trees is welcomed, trees behind Cringle Road are being removed for bin space.
- The addition of extra traffic, and noise generated by jet wash, is not appropriate or considerate at any time of day, but especially not in a 24 hour garage.
- Extra traffic brings in extra exhaust fumes and pollution from vehicles. However, when people are washing cars - especially by jet wash - dirt is thrown into the atmosphere to settle elsewhere - people's gardens, windows, cars and lungs. Litter that can be directly attributed to the garage settles in neighbouring gardens every day, such as the exact type of glove that the garage use at their pumps.
- The customers and owners of this garage are responsible for an enormous amount of rubbish, litter and antisocial behaviour. This includes shopping and dropping litter all over the local area; shopping for snacks and having with drugs behind the garage, which local residents have to pick up each day. The business never pick any up outside of their property or even provide suitable bins.
- Oak trees and others are planned to be removed.
- There are already many car washes in the area and there is no need for another one.
- Appreciate the ongoing amendments being made in order to protect as many of the trees on site as possible (especially the oak) and to maximise the green space, but slightly disappointed to see that two jet wash bays have crept back into this proposal for some reason, especially when the previous revision had removed them completely, as the residents wanted.
- With regards the proposed seven EV bays. This is a much better arrangement compared to the previous two schemes. However, the three EV bays currently shown next to the jet wash bays, look like they might sit within the rootzone of the oak tree. It would be much better to lose the jet wash bays completely and slide the three EV bays along the back fence to avoid conflict with the root zones of the oak tree.
- Four trees across the site are being lost, two of which are significant screening trees (the tall silver birches within the forecourt). Residents ask how these losses will be mitigated. Clarification is also sought if any trees behind the shop unit are proposed for removal or just the ones covered in the tree survey.
- Any green space needs to be protected. Glad to see that the original terrible design has been altered to a more efficient design that takes less away from the green space, .However, they strongly object to the proposed jet washes being part of this scheme.
- Support the installation of electric charging points, but feel that a petrol forecourt is not the most practical location for them.
- There is an electric charging point at Levenshulme train station car park which seems a better location. You could have electric charging points there without destroying nature.
- It would be better to remove the garage altogether, and reinstate the grass and trees that were there in the first place.
- Pleased to see requests to replant some small trees and landscaping with nectar producing plants.

Ward Councillors – Correspondence has been received from Councillor Noor supporting local residents concerns about the originally submitted scheme, in particular the removal of trees, and the provision of three jet wash bays. Councillor Noor further advised that there were already problems locally with road traffic accidents with vehicles turning right onto Stockport Road.

Fire Service (Petroleum officer) - The proposal is within the boundary of the existing Petrol Filling Station, and they have no objections to this planning application. They advise that they are consulting with the operator to ensure the installation is completed safely and fully complies with the relevant guidance taken from Design, construction, modification, maintenance and decommissioning of filling stations.

Highways Services -Note the loss of three car parking spaces across the site, and sought clarification regarding current levels of usage to ensure there is sufficient provision.

Highways note that disabled provision has not been provided and therefore request that this is accommodated.

Advise appropriate signage within the site will be required in order to prevent vehicles from parking in areas associated with other uses.

There should also be no internal obstruction of the forecourt access area, this is to prevent any associated queuing back onto the adjacent highway.

Swept path drawings have been provided that confirm that all vehicles accessing the site can access/egress whilst remaining in a forward gear, as well as use the facilities unobstructed.

Furthermore, given the maintained operation and constraints associated with the existing wider site, the applicant is advised that a Construction Management Plan should be provided prior to the commencement of any works.

Flood Risk Management Team – recommend any approval has a condition attached relating to a surface water drainage scheme for the site, based on sustainable drainage principles.

United Utilities – Request drainage conditions relating to the submission of a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions; that foul and surface water be drained on separate systems; and before the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be and Agreed. They further advise that a public 450mm combined sewer crosses this site and they will not permit building over it, and will require an access strip.

GMEU - Have advised that the area of land comprises amenity grassland, ornamental shrubs and trees, which have the potential to support nesting birds. They, therefore recommend that all tree works and shrub clearance should not be undertaken in the main bird breeding season (March-August inclusive), unless

nesting birds have found to be absent, by a suitably qualified person, and recommend that a condition to this effect be placed on any permission.

They would expect any such scheme to include measures to enhance biodiversity at the site and to provide a net gain for biodiversity and recommend that opportunities for biodiversity enhancement be incorporated into the new landscaping. These should include:

- Native tree planting
- Nectar rich native shrubs

In conclusion, satisfied that the application can be forwarded for determination and that any permission if granted is supported by the condition above and are satisfied that the revised layout and details are appropriate given the location of the proposal in a highly urban location. The trees are either native or horticultural varieties of native species. The ground cover and shrubs provide for nectar sources, flowers and berries for invertebrate and birds.

Environmental Health - Due to potentially contaminative historic and current site uses recommend a watching brief condition that if the presence of ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), are submitted to and approved by the City Council as local planning authority.

The updated EEC noise report, Dated 5 April 2022, specifically excludes any modelled assessment of the proposed canopy above the charging stations, although it does state that this will provide some additional screening from activity noise. Notwithstanding this point, they accept the report's conclusion that on the basis that the jet wash bays will be closed, as stated in the report, between 2200-0700 hrs, there should be no disamenity impacts from site activities on nearby residents. They would however recommend reduced jet wash operating hours on a precautionary basis.

They therefore recommend that conditions relating to verification of acoustic mitigation measures, Jet Wash hours and Jet Wash noise management plan attached to approval 125753/FO/2019 to a jet wash previously approved at this site in a similar location, are also imposed for any permission granted for this current application, with appropriate re-wordings to reflect the updated approved noise report.

Electricity North West - Have advised that the development could have an impact on their infrastructure. The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets.

Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

Design for Security - it is recommended that the cabinets are of robust construction and that lighting is provided to illuminate the location during the night as existing street lighting is likely to be insufficient and that CCTV is included to monitor or record any criminal behaviour.

They recommend that any existing CCTV coverage is reviewed to ensure that proposed new canopy at the entrance does not impede the view of CCTV around the front of the building.

Furthermore, that lighting to parking areas should be in accordance with British Standards.

The success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to provide a security management plan which includes measures to deal with the following:

- o Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).
- o Regular litter and graffiti removal (if applicable)
- o Maintenance of car parking surface
- o Vegetation management
- o Installation & Monitoring of CCTV and procedures for response to any incident /recording of images.

## **Issues**

### Policy Context

The following local and national policies and documents are considered relevant in the determination of the application proposals.

#### National Planning Policy Framework (July 2021)

The revised NPPF was adopted in July 2018 , re-issued in February 2019, and again July 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 NPPF states that the planning system has three overarching objectives - economic, social and environmental (paragraph 8).

Section 6 'Building a strong and competitive economy' states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 81).

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

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 105).

In relation to setting local parking standards for residential and non residential development, the NPPF states that policies should take account of the need to ensure adequate provision of spaces for charging plug in and other ultra-low emission vehicles (paragraph 107(e)). Furthermore, in paragraph 112 the NPPF recommends that applications for development be designed to enable charging plug in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113).

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

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.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to

communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 126).

Planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

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

Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 134).

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 134).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 152).

Section 16 Conserving and enhancing the historic environment - Paragraph 194 advises that in determining applications, the significance of any heritage assets affected, should be described by the applicant, 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.

Paragraph 195 advises local planning authorities should identify and assess the particular significance of any heritage asset that may be affected (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this account when considering the impact of a proposal on a heritage asset.

Section 66(i) of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty to pay special regard to the desirability of preserving or enhancing the area's character or appearance.

The effect of NPPF is to impose, by policy, a duty regarding the setting of a listed building that is materially identical to the statutory duty pursuant to s.66(1) regarding the setting of a listed building.

If harm would be caused, then the case must be made for permitting the development in question, and the sequential test in paragraphs 199-208 sets out how that is to be done. If that is done with clarity, then approval following paragraph 202 is justified. No further step or process of justification is necessary. The National Planning Policy Framework (NPPF) provides guidance on the Government's approach to heritage assets, which is expanded upon in the National Planning Policy Guidance (NPPG) stating that Heritage Assets should be, *"...conserved in a manner appropriate to their significance."* (paragraph 189).

It also states that in determining planning applications Local Planning Authorities (LPA) should require an applicant to consider the significance of any heritage assets affected, noting that,

*"...the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance."* (paragraph 194). The NPPF sets out criteria in Chapter 16 to guide assessment of both heritage assets and the impact of proposed development on them, stating at paragraph 199 *"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)."*

The test of whether a development is acceptable is set out in paragraphs 201 to 204, based on whether substantial or less than substantial harm is identified arising from the development.

Where there is substantial harm identified the NPPF states, *local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...* where less than substantial harm is identified the public benefits of the development should be weighed against the harm it might cause to the heritage asset involved.

#### National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:

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

These largely relate to detailed aspects of a planning submission, which are addressed in the following section of the report; the conclusions of the necessary assessments is that the proposal accords with the general principles of the NPPG.

### Core Strategy

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

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

The following specific policies are considered to be particularly relevant to the proposed development:

### Strategic Spatial Objectives

The Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein, as follows:

Policy SO2. Economy - The scheme would provide an additional facility for use by the patrons of the existing filling station and in a highly accessible location, supporting the economic performance of the business.



Policy S05. Transport -The development would be highly accessible.

Policy EC1 - Land for Employment and Economic Development - The proposal would contribute to economic performance of an existing business in a highly accessible location, thereby supporting economic growth.

Policy EC9 - South Manchester -Advises that South Manchester is not expected to make a significant contribution to employment provision within the City

Policy CC8 Change and Renewal - The proposed development would create temporary employment during construction.

Policy EN3 – Heritage - The existing petrol filling station is located opposite to the former Church of St. Andrew which is Grade II listed building which has been subsequently converted into residential accommodation. There are no significant views of the Church other than short distance when travelling along Stockport Road in either direction until it appears in view.

The proposed development would not for the most part obstruct views of the listed building, other than some views from Cringle Road looking south, which would have single storey structures within the view of the Church from this point at the ground level.

It is considered that any impacts to the setting to of the listed building, would give rise to less than substantial harm.

Policy EN14 -Flood Risk - The proposed development is accompanied by a drainage plan. This issue is dealt with in greater detail elsewhere in this report.

Policy EN 16 - Air Quality

The proposal includes the provision of 7 no. electric charging points which will assist in the minimisation of emissions from traffic in the local area.

Policy EN 18 Contaminated Land and Ground Stability

The proposed development would involve the installation of electric charging points and jet washers with associated canopies, a substation and LV GRP panel structure. Any breaking of ground would therefore be limited. This issue is dealt with in greater detail elsewhere in this report.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The proposed development will assist in supporting the move to carbon free modes of transport. Policy T1 would therefore be responded to.

Policy DM1 Development Management - This sets out the requirements for developments in terms of BREEAM 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:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- o That development should have regard to the character of the surrounding area;
- o Effects on amenity, including noise, and road safety and traffic generation;
- o Impact on landscaping/trees, flood risk and drainage.

These issues are considered full, later in this report.

#### Saved UDP Policies

The following saved UDP policies need to be considered in relation to the application.

Saved policy DC19 - Listed Buildings - In determining applications for planning applications for development having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.

The proposed development would for the reasons outlined in more detail below, result in less than substantial harm to the listed building's (former Church of St. Andrew) architectural or historical character.

Saved policy DC23.1 – Petrol Filling Station – In determining applications for developments involving petrol filling stations, the Council will have regard to the general location of the development; the effect on the amenities of the neighbouring occupiers; the need for safe and convenient arrangements for access; road safety and the safety of pedestrians; adequacy of the local traffic circulation; ease of access for all; the need to achieve a design which results in a satisfactory relationship to the streetscene; and the quality of materials.

The application relates to an existing petrol filling station. It is considered that the proposed development would be a proportionate addition to the existing facilities provided.

Saved policies DC26.1 and DC26.5 Development and Noise - The application is supported by an initial and subsequent noise impact assessment. It is considered that provided the proposal is implemented in accordance with the measures detailed in the assessment, the jet wash facilities would not have a detrimental impact on the amenity of surrounding occupiers through noise. This is discussed in more detail later on in this report.

Saved policy E3.3 states that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest

quality; and ensuring that landscape schemes are designed to minimise litter problems. Stockport Road significant radial route into the City. This proposal would be set back from the highway, but would be clearly visible in the streetscene, but due to the scale, massing and open nature of the canopies to the electric vehicle charging points, it is not considered that the scheme would give rise to significant adverse visual impacts.

#### Legislative requirements

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.

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development that affects a listed building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## ISSUES

#### Principle of development

The site is an existing operational petrol filling station on a main road network. The proposed scheme would enable the provision of additional facilities, which include the provision of 7no. electric vehicle charging points designed to support the changeover in vehicles from running on fossil fuels to electricity to contribute to meeting climate change challenges.

It is considered that the provision of electric charging points and two jet washers would be commensurate with the existing use of the site as a petrol filling station, and are acceptable in principle.

#### Land ownership

The City Council has a land interest in the site. Members are reminded that in considering this matter they are discharging their responsibility as Local Planning Authority and must disregard the City Council's land interest.

#### Site Layout

The originally submitted scheme is shown below.

Discussions regarding the siting of the proposed equipment to reduce any impacts to the existing green space have identified that there is a restriction on the location of EV Chargers, LV panel and substation due to hazardous zones on the forecourt of an operational petrol station, which therefore means that the electric charging points cannot be brought further forward due to hazard zones, and due to high power electrical zones that there are on chargers being a risk.

The revised layout is shown below:

The former St. Andrews Church lies opposite the petrol filling station site to the west of Stockport Road. The former church premises is a Grade II listed building, which has been converted into apartments, with the associated external space being redeveloped with townhouses.

The proposed development would not obstruct key views of the listed building, other than some views from Cringle Road looking south, which would be impacted by single storey structures within the view of the Church from this point at ground level.

It is considered that any impacts to the setting of the listed building, due to the revised location of the proposed jet washers to the rear of the site, and location of the electric charging points and associated canopies, would give rise to less than substantial harm being identified arising from the scheme to the heritage asset. Indeed, it is considered that the impacts would be at the lower end of any harm caused. The public benefits of providing electric charging points and improved facilities at the existing premises are considered to outweigh any harm.

The submitted application relates to the installation of two jet wash bay facilities and the erection of 3.1m glazed screens set in a frame, to prevent water spray to the wider forecourt area to the rear of the site. Seven electric vehicle charging bays with associated canopies set in open frames would be either located alongside the existing

access into the site or to the rear of the site in proximity to the existing operational forecourt of the petrol filling station, and as such would be viewed in the context of the existing facility at the site. The installation of open framed canopies to the electric charging points would allow views through the structures and reduce the potential for significant visual intrusion in the streetscene.

It is therefore considered that proposed development would have no significant impact upon visual amenity, and proposed structures would be read in the context of the existing the Petrol Filling Station with associated structures and equipment.



### Design and Appearance

The agent has confirmed that the proposed steel frame for the electric charging points and jet wash canopies would be blue in colouration (RAL 5015), and the canopies and glazed panels forming the jet wash enclosures would be clear. It is therefore proposed that this aspect of the scheme is conditioned. It is considered that the external design and appearance of the development would give rise to no significant impact upon visual amenity or upon the character of the existing petrol filling station or local area.

### Highways Impacts

The petrol filling station is located on the main radial route to and from the City Centre. The site provides 2 no. two-way vehicular entry and exit access points. No changes are proposed to the existing forecourt and canopy associated with the existing petrol filling station, and the agent has confirmed that the existing tanker movements would not be affected. Swept paths have been provide in order to demonstrate that tanker movements can be accommodated. This is considered to be acceptable.

In relation to the need for construction activity to be accommodated without detriment to the safe operation of the forecourt area and of the adjacent highway, it is proposed that a condition to require the submission of a construction management plan prior to commencement of works is attached to any approval.

In respect of trip generation, electric charging points and jet washers are customer facilities that are available at many petrol stations and it is intended to complement site facilities, but not to the detriment of the primary use of the petrol sales forecourt.

On the basis that the development is implemented in accordance with the revised site layout it is considered that the proposed electric charging points, and jet wash facilities with associated substation and 'Low voltage Panel' would not give rise to significant impacts to traffic movements within the site, or in relation to adverse impacts to the local highway network.

### Residential Amenity

The application is supported by an initial and subsequent noise impact assessment.

The report confirms that the only noise generating element associated with the proposed charging bays would be the substation, and that the proposed Low Voltage panel does not generate any noise. The report assesses the proposed development on the potential daytime operation of the Electric charging points and jet washers between 0700 -2200 on Mondays to Sundays, and noise from the substation during the night time hours

The assessments have shown that during the respective daytime and night time operation of all services noise will be of low impact at all the nearest receptors on the basis that during the night time the jet wash bays will be closed, and only the EV charging bays would be available for use.

The assessments identify that the main contribution to noise was from traffic noise on Stockport Road, with the report dated January 2020 making reference to measures to minimise noise, including that idling of vehicles should be kept to a minimum, engines, should be turned off when stationary and car radios should be turned off during the use of the jet wash.

The observations received in relation to the extant permission for the installation of a jet washer in a similar location at the rear of this site have also been noted. It is proposed that these aspects form part of a condition to reduce the potential impacts to residents in proximity to the development.

It is considered that provided the proposal is implemented in accordance with the measures detailed in the assessments, the proposed electric charging points and jet wash facilities would not have a detrimental impact on the amenity of surrounding occupiers through noise

The eastern boundary of the existing petrol filling station, which forms the boundary with the closest residential properties comprises high concrete post and panel fencing, which would be retained.

As such any approval would be conditioned so that the Jet Wash facility shall not be in operation outside:-

Monday to Saturdays	08:00 - 20.00
Sunday & Bank Holidays	10.00 - 18.00

With a further condition detailing restrictions in relation to use of any tannoy system , use of car radios , and that engines being turned off when the vehicle is stationary, also being attached to any approval, in order to protect and safeguard the amenities of the occupiers of nearby residential accommodation. This would be the subject of a condition requiring a management plan for the operation of the facilities.

It is considered that the attachment of the conditions outlined above, would reduce any impacts from noise directly associated with the proposed jet-wash. Concerns raised in relation to the use of loud speakers to talk to the public would be controlled in respect of the jet-wash, so that only emergency use would be permitted. Any issues of existing antisocial behaviour at the site would be a matter for the operator of the petrol filling station and the police.

In relation to concerns expressed in relation to water over spraying to the east of the site, as advised earlier in the report, the jet wash bays would incorporate 3.1m glazed screens to three sides of each of the bays, set in a frame. The proposed screens and canopies would significantly reduce the potential for water spray to the rear of the site and wider forecourt area .

### Trees

The revised layout would enable the retention of 11 existing trees, including the semi mature oak tree to the Cringle Road frontage which has been referred to in emailed observations received from local residents. The revised scheme, however, would lead to the loss of three trees (two goat willows , a wild cherry) and a small group of silver birch, but the updated landscaping scheme would include the planting of four additional native trees within the area of grassland ( 2 no . silver birch and 2 no. cherry). Any loss of the grassed area would be limited to the southern edge of the existing soft landscaped area. A condition shall be applied to the approval relating to the protection of the retained trees, and a landscaping condition to ensure the planting of new trees to off set those being lost.

The Arboricultural report states that in regard to the trees to be removed, the Wild Cherry is classified as a category 'U' tree having basal decay caused by fungus, and the other trees have a category 'C' classification ,( trees of low quality ) with the Goat Willow having heavy lean to the Petrol Filling Station hard standing, and having a limited safe useful life. The trees to be removed are located at the rear of the site, in proximity to the eastern boundary of the site. The proposed new trees planting would involve the planting of 4 trees of native species, in highly visible locations within the retained green space. This would enable them to contribute to the streetscene, be of better quality than those to be removed and be located in an area with less constraints to future growth.

### Ecology

The application is accompanied by an Ecological Assessment Report. This describes the soft landscaped area of the site as comprising trees set in mown amenity grassland. None of the habitats within the site were identified as being of any particular botanical interest, and no non-native invasive species was found at the site.

The report acknowledges the trees and shrubbery at the site could support nesting birds during the breeding bird season. The trees were assessed as to their suitability to support roosting bats, however, none of the trees were found to support any suitable bat roosting features, and it is therefore considered that any potential for bats to be roosting at the site would be very unlikely.

The report indicates that the habitats at the site have limited biodiversity value, but that the trees would offer foraging habitats to local wildlife including invertebrates and birds.

It is considered very unlikely that the site supports any other protected species. It is however, considered that there are opportunities to improve biodiversity at the site in relation to planting to provide for nectar sources, flowers and berries for invertebrates and birds. It is therefore proposed to attach a condition to require the



submission of further measures to improve biodiversity at the site prior to the proposed development being brought into use.

#### Drainage

The proposed development would utilise the drainage principles associated with the previous permission for a jet washing facility on site. Separate silt traps are shown on the application drawings to control and separate fluids, with surface water from the new hard surfacing being funnelled towards the existing main drains.

As further information is required in relation to discharge points, proposed attenuation and proposed overland flow routes for extreme events , together with hydraulic calculations to support the drainage proposal, and details of how the scheme shall be maintained and managed after completion, it is therefore proposed to attach a condition to require the submission of a surface water drainage scheme for the site based on sustainable drainage systems which address the matters detailed above.

#### Air Quality

A resident has raised concerns that the jet washers would lead to air borne dirt - polluting the air quality and dirtying the local area. In this instance the jet washers are bounded on three sides by 3.1m high screens which would reduce the potential for any air borne spray to be spread beyond the proposed facility , with any water hitting the proposed screens , and then flow down to the drainage for the facility.

In regard to the proposed electric charging points , these have the potential to assist in the minimisation of carbon emissions from traffic in the local area, by supporting the wider use of hybrid and electric vehicles. There would be some impacts on air quality during the construction phase but these can be mitigated through an appropriate condition and any impacts would be short term.

#### Parking

The existing petrol filling station has facilities to accommodate 10 vehicles parked off street within the wider site. The proposed development would involve the loss of three spaces, but this loss would be offset by the provision of 7 no. electric vehicle parking spaces.

#### Accessible Electric Charging point

The layout has been revised to increase the size of the electric charging point bay at the rear of the site next to the proposed jet wash bays , to enable use by disabled users.

#### Waste Storage

The existing waste storage arrangements would be retained.

#### Security

This is an existing petrol filling station with associated external lighting and CCTV . As such the design for security officers observations have been appended an informative.

## Conclusion

The proposed development would support the delivery of measures to contribute to achieving carbon neutrality by 2038 in Manchester , in a sustainable location on a main radial route into Manchester.

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

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

## Recommendation

### Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the agent in a positive and proactive manner by requesting further information relating to layout , tree retention and replacement planting within the scheme, an EV bay of an appropriate size for disabled users, and appropriate conditions to the approval have also been attached.

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:

13664-LP-304 -Location plan; 13664 -P01 -304 Existing site layout; 13664 -P03 -304 Existing site elevations ; 13664-P06 Substation elevations; received 13<sup>th</sup> August 2021;

EV charge installation Manual - Raption 150 Series and Planning Design and Heritage Statement ref: 784-B031753 Dated September 2021; Planning, Design and

Heritage Statement ( notwithstanding any reference to the originally submitted layout or any installation of hit and miss fencing enclosure to the substation and LV panel due to subsequent revisions); Ecology Assessment Report dated 5<sup>th</sup> November 2021 Statement (notwithstanding any reference to the originally submitted layout) received 26<sup>th</sup> November 2021;

Hypercharger Operational Instructions and Installation Guide specification ; received 18<sup>th</sup> February 2022

13664- BP-304 rev.A Block plan ; 13664 – P04 304 rev.D Proposed site elevations; 13664 – P05 304 rev.B EV Canopy Detail; 13664 -P07 304 rev. A Jet Wash Bay elevations; 13664 – P08 304 rev.A LV enclosure elevations; 13664- P10 rev.A Waste Management plan elevations received 3<sup>rd</sup> March 2022

Noise Impact Assessment of the proposed jet wash bay ref: P19-719-R01v1 January 2020 in association with Noise Impact assessment report by EEC dated 5<sup>th</sup> April 2022; and Tree Survey /Arboricultural Impact Assessment Version 2 03/04/2022 received 7<sup>th</sup> April 2022

Soft landscaping proposals plan ref: J210704-GC-L-DR-3-001 rev.A received on 11<sup>th</sup> May 2022.

13664- P02 304 rev.D Proposed site layout ; 13664- P011 -304 Vehicle Tracking Plan; 13664- P012 -304 Vehicle Tracking Plan 2; received on 16<sup>th</sup> May 2022.

Agent email confirming that no timber hit and miss fencing is proposed to enclose the LV panel and Substation dated 19<sup>th</sup> May 2022.

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).

3. Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which should include;

- o The routing of construction traffic;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- o Identify measures to control dust (based on British Standard 5228) 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;
- o Specify the working hours for the site;
- o 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;
- o Identify advisory routes to and from the site for staff and HGVs.

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).

4. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

The scheme shall also include:

- Surface water drainage layout including discharge points, proposed attenuation and proposed overland flow routes for extreme events (up to a 1 in 100 year including 40% climate change allowance).
- 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. Discharge rates should be restricted to greenfield discharge rates and should not exceed the existing rates, as the site is located within Conurbation Core Critical Drainage Area.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- Hydraulic calculations to support the drainage proposal.
- Details of how the scheme shall be maintained and managed after completion.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Manchester Core Strategy (2012).

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

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

6. The development hereby approved shall be implemented in accordance with the soft landscaping details shown on plan ref: J210704-GC-L-DR-3-001 rev.A received on 11<sup>th</sup> May 2022 (solely in regard to soft planting) not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the

planting of any tree or shrub, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

7. In this condition "retained tree" means an existing tree, or shrub or hedge on plan ref: 1 J210704-GC-L-DR-3-001 rev.A received on 11<sup>th</sup> May 2022 ,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, 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).

8. Before the electric charging points and jet washers hereby approved are brought into use , a scheme to encourage bio-diversity within the application site shall be submitted to and approve in writing by the City Council as local planning authority, including the provision measures to encourage habitats for native bird and bat species. The development shall be implemented in accordance with approved scheme prior to the electric charging points and jet washers being operational shall be maintained in situ thereafter.

Reason - in the interests of residential development and to encourage bio-diversity pursuant to policies EN15 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

9. The Jet Wash facility shall not be in operation outside the following hours:-

Monday to Saturdays 08:00 - 20.00

Sunday & Bank Holidays 10.00 - 18.00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policies DC26 of the Manchester City Councils Unitary Development Plan and policy DM1 & SP1 of the Manchester Core Strategy (2012).

10. Prior to Jet Wash facilities hereby approved being brought into use, a management plan including measures to ensure that :

a) The use of any tannoy system associated with the hereby approved jet wash shall only be used in the event of an emergency.

b) Car radios shall be turned off during usage of the hereby approved jet wash.

c) Vehicles engines shall be turned off when stationary during usage of the hereby approved jet wash; shall be submitted to and approved in writing by the City Council as local planning authority. The jet wash shall only be used in accordance with the approved management plan.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policies DC26 of the Manchester City Councils Unitary Development Plan and policy DM1 & SP1 of the Manchester Core Strategy (2012).

11. The clear glazed screen to the jet wash bays on plan ref: 13664 – P04 304 rev.D Proposed site elevations; and 13664 -P07 304 rev. A Jet Wash Bay elevations, shall be installed , prior to the jet wash bays being brought into use , and shall be retained thereafter.

Reason – To ensure that water spray from the jet washers is minimised in the interest of residential amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

12. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this and the report shall include evidence of the suitability of any imported materials.

Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the

interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy (2012).

13a) The acoustic mitigation measures included in the submitted Noise Impact Assessment of the proposed jet wash bay ref: P19-719-R01v1 January 2020 in association with Noise Impact assessment report by EEC dated 5<sup>th</sup> April 2022; hereby approved by the City Council as local planning authority, shall be completed before the jet washers and electric charging points bays are brought into use.

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

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved policies DC26 and policies DM1 & SP1 of the Core Strategy for Manchester (2012).

14) The steel framework to the jet wash and the electric charging points bays and canopies hereby approved shall be blue ( RAL 5015 ) in colouration .

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 Manchester Core Strategy (2012).

### **Informatives**

1. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -[highwaylicenses@manchester.gov.uk](mailto:highwaylicenses@manchester.gov.uk)

2. Any existing CCTV coverage is reviewed to ensure that proposed new canopy at the entrance does not impede the view of CCTV around the front of the building. Lighting to parking areas should be in accordance with BS 5489, and display an average lux of 20 (urban areas) with a uniformity level of no less than 25%. These figures should be evidenced by a lighting layout/lux plan.

The success of the proposed development will be dependent upon the effective management and maintenance of the site, including measures to deal with the following:

- o Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).
- o Regular litter and graffiti removal (if applicable)

- o Maintenance of car parking surface
- o Vegetation management
- o Installation & Monitoring of CCTV and procedures for response to any incident /recording of images.

### **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: 131344/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:**

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

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

**Representations were received from the following third parties:**

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







<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
132489/FO/2021	4 Jan 2022	31 May 2022	Piccadilly Ward

**Proposal** Erection of a part-34, part-11, part 9 part 7 storey residential building above semi-basement level, with associated residents' amenity space including gym (Use Class C3) (comprising 485 dwellings), commercial space (Use Class E), basement car parking (47 spaces), cycle parking (485 spaces) landscaping, and other associated works

**Location** Port Street, Manchester, M1 2EQ

**Applicant** Manchester (Port Street) Limited, C/o Agent

**Agent** Mr Niall Alcock, Deloitte LLP, The Hanover Building, Corporation Street, Manchester, M4 4AH

## EXECUTIVE SUMMARY

The proposal is for 485 homes with two commercial units in a part-34, part-11, part 9 part 7 storey building with hard and soft landscaping. 210 letters of objection have been received from 2 rounds of notification and 34 letters of support. Many did not object to the principle of the site being developed, supporting the creation of more housing with appropriate facilities and are keen to see it brought back to life but object to the form of development.

The objections relate to design and scale, heritage and townscape, affordable housing/ need and viability, privacy and living conditions of adjacent residents, provision of public realm, traffic, highways and parking, climate change / embodied carbon, compliance with Planning Policy, precedent and the consultation process

### Key Issues:

**Principle of the proposal and the schemes contribution to regeneration:** The development is in accordance with national and local planning policies, and the scheme would bring significant economic, social and environmental benefits on a brownfield, previously developed site. It is part of the Piccadilly Basin and HS2 SRF Areas and adjacent to the Ancoats and New Islington SRF. It would provide one, two and three bedroom homes which meet the Council's space standards. The development would have 47 car parking spaces. The commercial units would provide active street frontages and the public realm would include tree planting and areas of private external space for residents.

**Economic:** The development would create 601 full time equivalent jobs over the 2 year build period plus jobs in supply chain expenditure. Total net GVA from the construction phase would generate around £28.5 million. 24 jobs would be supported on site on completion creating GVA of £1.12 million.

485 homes would accommodate up to 844 residents who would spend around £4.1m per annum locally, equating to the creation of 41 full time jobs. Council tax revenue is estimated to be £0.88 million per annum and increased household spend around £3.8m per annum in the local economy.

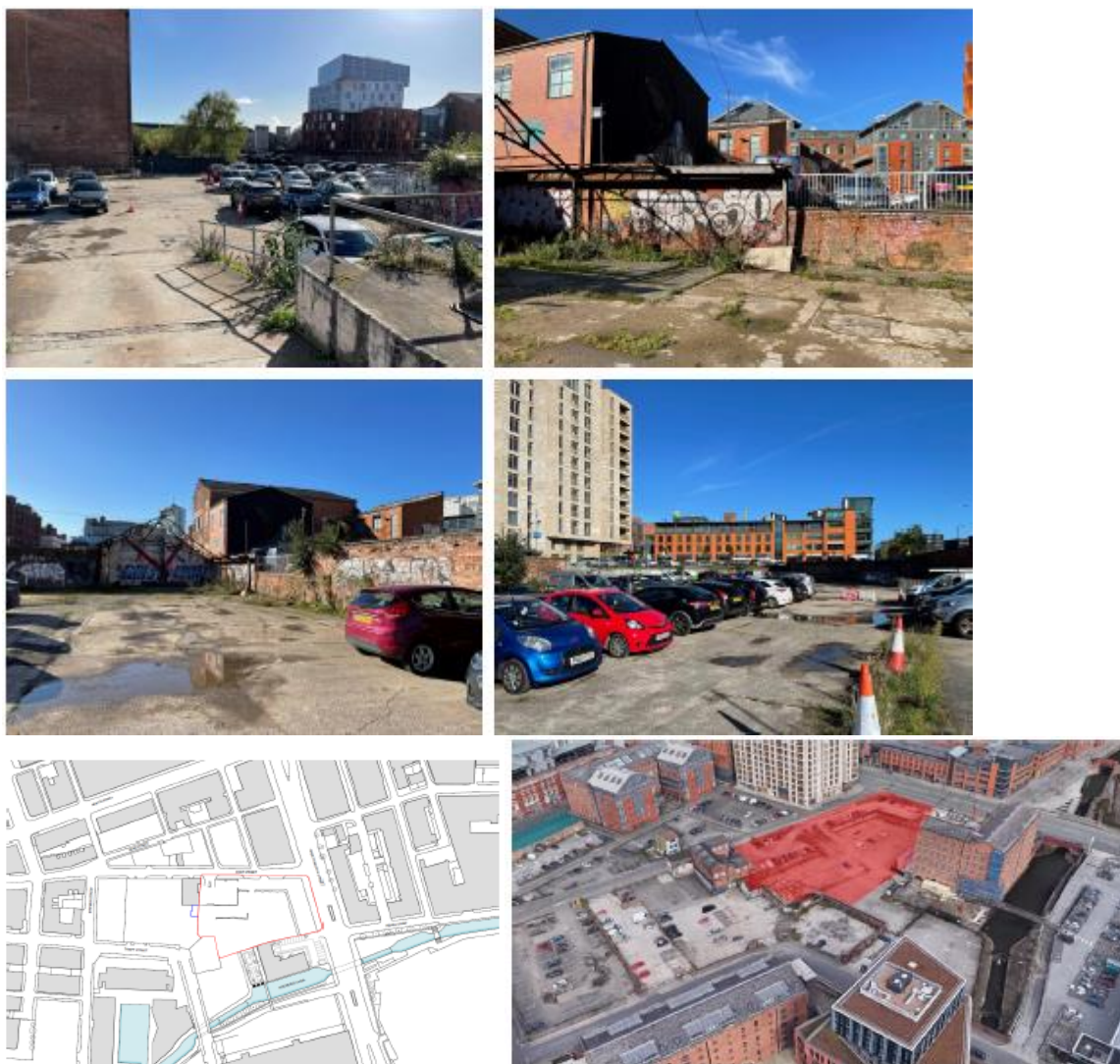
**Social:** A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The construction phase could provide around 120 new trainee placements. Commercial units would bring active frontages and natural surveillance. The development would be fully accessible and 10 parking spaces for disabled people would be provided in the basement. The public realm has been designed to deal with the level changes across the existing site to make it fully accessible. Crime and anti social behaviour would be minimised with an effective lighting scheme. Natural play equipment would be included within the public realm.

**Environmental:** This would be a low carbon development in a highly sustainable location. The development would be all electric. 100% on site cycle provision would be available. There would be no unduly harmful impacts on traffic and local air quality. Where impacts do arise, these can be mitigated. New planting, trees and bird and bat boxes would improve biodiversity. A drainage scheme includes sustainable principles and would include SuDS features such as rain gardens within the public realm. The ground conditions are not complex or unusual. The height, scale and appearance would contribute positively to the Piccadilly Basin and HS2 SRF Areas. Secured by Design principles including temporary gating during the evening of the public realm would ensure the development is safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

**Impact on the historic environment.** This is a significant development which would have some impact on the setting of nearby listed buildings and structures and on adjacent conservation areas. Historic England consider that the harm would be less than substantial, with the harm to Brownsfield Mill (Avro) falling at a mid-point of the spectrum of harm envisaged by paragraph 202 of the NPPF. Nevertheless, this would be less than substantial and would be outweighed by public benefits.

**Impact on local residents and local businesses:** The impact on daylight/sunlight and overlooking are considered to be acceptable in the context of the site. Construction impacts would not be significant and can be managed to minimise the effects on local businesses. Noise outbreak from plant and the commercial unit would meet relevant standards. A full report is attached below for Members consideration.

## DESCRIPTION OF THE SITE



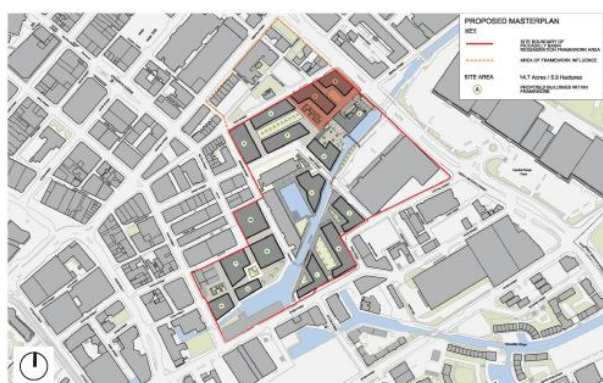
**Site location, appearance and context**

This 0.48 ha site is bounded by Great Ancoats Street, the Grade II \* Listed Brownsfield Mill (Avro Building), a surface car park (approximately 100 spaces) and Port Street. It is used for parking but was formerly timber yards. There are level changes across the site.

The site is close to the Northern Quarter, Ancoats Urban Village and New Islington which contain established residential communities. Port Street provides a link to cultural and commercial activity and to Ancoats through linkages to Redhill Street. Great Ancoats Street is a key traffic route around the city centre.

The site lies within Piccadilly Basin and is covered by two Strategic Regeneration Frameworks (SRFS): The HS2 Piccadilly SRF (2018) and the Piccadilly Basin SRF (2016). A number of SRFs have been endorsed for Piccadilly Basin since the 1990's.





**Piccadilly Basin SRF and application site**



**HS2 SRF Boundaries (Piccadilly SRF Area 10)**

The environment of the area has been improved considerably and three important listed building have been restored but the delivery of new development has not progressed at the same pace as other nearby areas despite the site's locational advantages. The site and the immediate area display all the signs of urban blight and neglect with a prevalence of poor quality surface car parks on the sites of former industrial buildings. The street pattern changes in this area from the close grid of the Northern Quarter to the more linear pattern of Ancoats. Port Street reinforces this change.

The Ancoats and Stevenson Square conservation areas are nearby as are a number of significant listed buildings including Brownsfield Mill (Avro Building), the Former Rochdale Canal Warehouse (Jacksons Warehouse) (Tariff Street), Murray's Mill and Royal Mill (Redhill Street) (all Grade II\* Listed) and 72-76 Newton Street, 50-62 Port Street, Carvers Warehouse (Dale Street) and the Rochdale Canal Path and retaining wall (Redhill Street) (all Grade II Listed).

The principal character of buildings around are a mix of massive cotton spinning mills, adjacent to the Rochdale Canal and beyond the cleared land in proximity to the site, some lower level Georgian buildings. Beyond these are more modest scale former warehouses. The recently completed Oxid House (13 storeys) and Astley (9-15 storeys) developments on Great Ancoats Street have established a more city scale along this side of Great Ancoats Street.

The site is within easy walking distance of the main shopping areas and close to Piccadilly Station. There are bus routes on Great Ancoats Street and Piccadilly Gardens Bus Interchange is located is a short walk. The site also has excellent connections to East Manchester and North East Manchester. There is a multi storey car park at the Urban Exchange.

The site is in Flood Zone 1 and is at a very low risk of flooding from surface water, it is in a Critical Drainage Area and in an Air Quality Management Area (AQMA).

## **DESCRIPTION OF DEVELOPMENT**

Permission is sought for the erection of a part-34, part-11 storey, part -9 part- 7 building above a semi-basement level to provide 485 homes (Use Class C3) with 158 one bed (32.6%), 309 two bed (63.7%) and 18 three bed (7%). There would be a double height ground floor commercial space (2 units one facing Great Ancoats

Street and one Port Street) (Class E) (595 m<sup>2</sup>), reception area and management suite, residents lounge and amenity areas (including a resident's gym) and bin store.

485 cycle parking spaces and 47 car parking spaces would be provided in the basement. 10 parking spaces would be EV enabled and the remainder designed to be upgraded. 10 spaces would be suitable for use by disabled people. Access to the car park would be from a single ramp with a traffic light system from Port Street.



### Ground floor plan

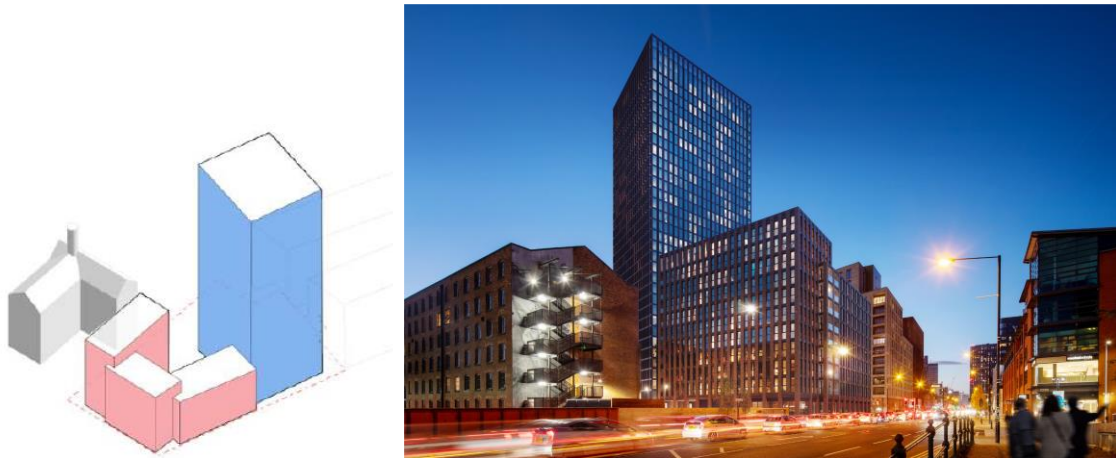
Private and public hard and soft landscaped areas would link Port Street and Great Ancoats Street to routes through the canal basin, facing the Avro Building. The area splits are approximately as follows: public 1,482sqm and private 780 sqm.

The residential accommodation would be serviced from a loading bay on Port Street close to the building entrance. The loading bay would also act as a taxi drop off. The retail units would be serviced from the front either via Port Street or Great Ancoats Street.

The development would comprise two distinct elements with a 34 storey Tower (152m AOD) on Port Street and a lower perimeter podium that forms a new street frontage to Port Street and Great Ancoats Street. The podium would comprise three components stepping up as the building wraps comprising: Port Street (7 storeys / 73.700m AOD); Great Ancoats Street (9 storeys / 79.400m AOD) and Brownsfield Mill (11 storeys / 84.250m AOD).

The building footprint would wrap around a resident's courtyard garden and the blocks would be connected via a loggia facing this courtyard. The stepping of the massing creates areas for a roof terraces and green roofs. Corner balconies articulate the massing. Apartments in the Brownsfield Mills block would be arranged around a smaller side core. The core would contain a refuse chute lobbied from circulation spaces, serving the ground floor refuse store.

There would be a double height amenity space within the 7<sup>th</sup> floor of the Port Street Tower Block connected to an external resident's terrace on the roof of the 7 storey Port Street block.



The scale, massing and materials of the Podium blocks would respond to the historic mills and new developments, and to more traditional construction techniques and detailing. The façade materials would be a mix of brick and anodised aluminium panels and glazing. The Tower would have materials with a mix of dark red / brown solid and perforated anodised aluminium, panels and glazing.

Each dwelling would have a whole dwelling mechanical ventilation heat recovery (MVHR) system. This allows the construction of a tightly sealed and correctly ventilated environment improving energy efficiency by reducing thermal heat loss through reduced infiltration and improving air quality. Residents would have natural ventilation openings and a boost mode and summer bypass. The purge ventilation would be provided through perforated screens and openable vents in the head of the window openings in the Podium. The system would recycle waste heat improve energy efficiency.

49 (10%) of the residences would be adaptable for disabled residents.

The public realm includes 56 trees (including 2 street trees on Port Street) furniture and grassed areas for public use. Level access would be provided between Piccadilly Basin and Great Ancoats Street. The design includes planted terraces and steps and could facilitate future pedestrian routes through the area as adjacent sites are developed. The public realm will be open during daylight hours and closed off via a gates on Great Ancoats Street and Port Street during night-time to allow for suitable management of the space before it is a functioning through-route when development of adjacent plots comes forward. The space would be fully managed and maintained by the applicant.

The private communal courtyard would provide a secure space for residents with open lawns, for small gatherings and informal leisure activities, a seating area with a covered shelter and various places to sit on the edges of planters. A terrace would provide a spill-out for the internal amenity area within the building.



Extensive survey work has demonstrated that it would not be possible to plant trees on Great Ancoats Street because of underground utilities. However, the footway would be upgraded with quality paving. The footway on Port Street would be similarly upgraded and two street trees planted. A service layby and an on-road cycle lane extension would be constructed.

The development would increase the width of Great Ancoats Street from 5m to between 5.5 and 8m. On Port St the pavement would be widened from 2.5 to 3.5m to 4.5 to 7.5m

The homes are intended to be delivered as a BTR product under the Affinity Living brand. The proposed operation would be focused on delivering a high quality residential offer with high levels of service provision for residents. The applicants would retain and operate the development on a long term basis from sales and lettings to customer care and building management.

The homes would comply with or exceed the Residential Quality Guide standards and the public realm and roof terrace would provide communal space. There would be a 24 hour on site management / concierge service to manage deliveries, reception and the communal areas.

A Framework Travel Plan has been provided

An internal refuse store would comply with 'GD 04 Waste Storage and Collection Guidance for New Developments Version: 6.00', with general; co-mingled; organic and pulvable waste streams. There would be twice weekly private collections. On collection day the management company will move the bins to a collection area. Waste would be segregated in each apartment to enable recycling. Residents would take their waste to the internal bin storage areas. Alternative arrangements have been illustrated to adapt the storage and management of waste should the City Council have to take over waste collection. The waste for the commercial units would be stored and sorted within each unit for private collection.

The planning and Listed Building applications have been supported by the following information: - Drawings; - Landscape Plans; Planning and Tall Building Statement, Statement of Community Involvement, Blue and Green Infrastructure Statement Design and Access Statement (including Servicing Strategy) Heritage Statement (and addendum), Ventilation and Extraction Statement, Waste Management Strategy), Crime Impact Statement; Travel Plan; Transport Statement; Ecology Report (including Bat Activity Survey Report); Energy Statement, Broadband Connectivity Statement; Flood Risk Assessment including Drainage and Suds Strategy; Fire Strategy/ Safety Assessment; Noise Statement; Air Quality Assessment; Operational Management Plan, TV Reception Survey; Ground conditions Report; and Viability Report.

The application is also the subject of an Environmental Statement which includes the following chapters: - Construction Management, programme, methodology and phasing; - Climate change; - Daylight, sunlight and overshadowing; - Heritage; - Human health; - Noise and vibration; - Socio-economic issues; - Townscape and visual impact; - Wind microclimate; - Residual impacts; and - Cumulative effects.

## CONSULTATIONS

**Publicity** – The occupiers of adjacent premises have been notified and the application has been advertised in the local press as an EIA Development, a major development, a public interest development, development affecting the setting of a conservation area and the setting of listed buildings and a development affecting a public right of way. Notification letters have been sent to an extensive area and 162 letters of objection and 34 letters of support have been received.

The objections relate to: design and scale, impacts on heritage and townscape, affordable housing/ housing issues/ need and viability, impacts on amenity, privacy and living conditions of adjacent residents, provision of public realm, traffic, highways and parking provision, climate change / embodied carbon, compliance with Planning Policy, precedent and the consultation process

Many did not object to the principle of the site being developed, supporting the creation of more housing with appropriate facilities and are keen to see it brought back to life but object to the form of development.

### Design and Scale

- A tower block would be completely out of place in the Northern Quarter and swamp adjacent buildings;
- It would be 3m less than the North Tower at Deansgate Square which is 37 storey's. Given the disparity in the character of these areas, a 34 storey building wedged between Ancoats and the Northern Quarter is grossly unsuitable and would have a detrimental effect on the aesthetics of the area and surrounding buildings and would be a blight on the immediate landscape and city scape;
- In contrast to conservation projects, interventions, contrasting of old and new developments which have all contributed to the enhancement and preservation of this previously unloved part of the city and the imaginative and varying developments have established and furthered the unique nature of this part of town, the building height is completely wrong and it will look out of place and be an eyesore;
- A height of 11 storeys would be more appropriate;
- This building appears stumpy and short in proportion to its width;
- Although modern buildings have been built nearby in recent years, the highest buildings are around 12 stories, although these are a contrast to the legacy buildings in the area, they do not detract from the area and contribute to the combination of old and new which makes the Northern Quarter, Ancoats and New Islington attractive places to live. The proposed height risks a precedent which damages the character of this area and potentially devalues what makes it such an attractive place;
- The tower block is soulless, disproportionately large and totally out of keeping with the surrounding areas of the rest of Piccadilly Basin, Ancoats and New Islington and will inevitably lead to more, out of proportion blocks on sites such as the former Central Retail Park and along Great Ancoats St;
- With Ancoats and the NQ gaining in prominence on a national and some might say international level, careful consideration should be given to what

welcomes visitors and residents when approaching the area. The proposed scheme is bland and uninspiring. The Tower portion would be cumbersome and bulky and is reminiscent of the Arndale tower. It would stand alone as there are no plans for anything remotely similar in height to be built in the vicinity and is too tall, to fit in with the local area. If a tall tower is absolutely "needed" in this specific spot, then it should be something worthy of looking at. Time, effort, design and money need throwing at this. Maybe the design could be tapered from the upper half of the building so as to be less visually dominant;

- The developer gives no reason/evidence that the scheme is sympathetic to its surroundings. The proposal doesn't fit in with the age, style and design of the surrounding buildings. The architecture is tasteless and more like a prison than premium living;
- This high-rise building does not 'contribute positively to place making'. Its rectilinear grid has a neutral feel that would be at home in Beijing or Minneapolis. It doesn't relate to Manchester or its history, or the fact that it is on a former canal basin;
- The 2007 master plan limited the height of development to 32 storeys. The submission does not justify exceeding the 32 storeys in the 2007 Masterplan;
- The brickwork and elevations is bland and the elevations are not varied. It pays no respect to the surrounding mills and is not of a high enough quality;
- The building looks ugly, like a cheese grater, sticking out compared to the industrial buildings. We should be trying to keep a certain 'look' in the Northern Quarter and create another Spinningfields;
- The Northern Quarter should have height restrictions based on the look and feel of the area as it will lose its charm if we fill it full of skyscrapers. Green quarter; Greengate are much better suited to these types of developments. It will add to the dreary high rise builds that have taken Victorian character away from Manchester;
- The stated concept for a 'gateway' at this location is, quite honestly, ridiculous. The area begins as Great Ancoats swings up the hill after crossing the Medlock and the Ashton Canal and, on the other side, at what is now the HBL Bank building at the corner of Oldham, where Great Ancoats turns into the Ring Road. The area in question is already the middle. As the middle, there are existing tall buildings along Great Ancoats Street. To continue buildings even at that height further into the Northern Quarter would be to extend the infection rather than limit it, rightly, to the edges of Great Ancoats Street;
- Height restrictions should be imposed to step-down from existing structures, not up. There should not be a jarring shift from the lower, listed buildings next door. 'Podium' buildings, as in the current plan, do NOT achieve the step-down effect. The entire development, as shown, will block light and air to existing streets and create a feeling of claustrophobia. The proposed development could easily have a fringe of same-height buildings that step up to double-height (to the existing structures), and, finally, a tower that is not excessive, not above the existing structures immediately adjacent;
- Unimaginative monoliths such as this have no place in this area. A 34 story building is absurd. It would completely change the skyline and views of this historic part of Manchester. There is no need for a building this tall. It is complete excess and offers no benefit to the local area, only to greedy developers attempting to build more flats for less;

- Existing residents need fresh air, greenspace, etc. You should not keep packing in huge developments that only serve to make money for developers. Why does the council never listen to what the people of the city centre actually want? It is our community, not an international development opportunity. There are areas of the city centre where high rise developments work and are appropriate for a modern cityscape- Deansgate/Castlefield/ Spinningfields for example, but please don't allow such schemes in historic low level neighbourhoods;
- There's an opportunity here to build something innovative and inspirational – this is uninspiring, oppressive and potentially damaging to the area. It is nowhere near world-class and will detract from the progress being made in Ancoats and all around this great city. It will reflect poorly on the architectural aspirations of the city, leave many literally in the dark/shade, overlooked and overshadowed by a monolithic, oppressive structure;
- It falls woefully short of the standards set by other developers such as Urban Splash and Manchester Life, who developed quality residential buildings that are economically viable compatible with the industrial heritage of the area, fostering communities and creating genuine public realm it lacks architectural innovation and the attempt at useable public realm is nothing short of a tick box exercise. In essence, the scale represents developer greed over building communities and place making. An approval would tarnish what has been created in the area;
- The original SRF suggested the tallest massing should be to the north-east of the site and slender in plan offering a better silhouette on the skyline. This scheme concludes that a single landmark building is a better response and positioning to the south of the site will help minimize its mass;
- Single sided / dual aspect accommodation as shown on two of the lower buildings is not efficient on dense city centre sites and leads to more buildings on site when not necessary. Residents would benefit from having more amenity space and uses at roof level where the views are better, air quality improved, its quieter and potentially more secure. There would also be greater potential to incorporate environmentally friendly uses for residents at roof level like leisure, garden areas and allotment space all of which would be better for residents to use and would certainly look better when seen from other buildings. These massing ideas should have been explored;
- Tall buildings with central cores are very efficient but this does not mean they must be square towers over the whole height. Precedent for tall residential buildings in cities like New York or Chicago show how the massing and facades can have hierarchy and proportion to allow the floor plates to change and create a more interesting building on the skyline;
- Evidence from the pandemic has shown the need for balconies and fresh air to be available to the residents and if these were incorporated the facades could all be more interesting and the impact of the mass reduced;
- The maintenance of metal facades is expensive, they often suffer from lack of investment as time progresses and managing agents / building owners change. A rusty brown metal landmark building needs a thorough investigating to fully understand what is to be used on the facades - is the metal anodized, powder coated or something else that is envisaged and how does it perform with life cycle costs to keep looking good for the next 100 years; and

- The largest of the buildings should be towards the ring-road to minimize impact on neighbouring buildings;

### **Impacts on Heritage and Townscape**

- Without sufficient regard for local context and community the scheme would diminish the charm and character of one of the most prominent regeneration success stories in the UK. The impacts would fail to meet many of the tests and standards outlined in numerous planning policies;
- The site neighbours the Ancoats conservation area which would be overshadowed and dominated. The scheme is excessive in height and scale. It bears no relationship to its context and to nearby historic buildings. It should be reduced in height to echo the buildings around it or should be rejected. The building will dwarf the historical buildings around it including the Grade II \* Listed Avro Building. The relationship with Brownsfield Mill is antagonistic and lacking in harmony/relationship It would have an extremely negative impact on Brownsfield Mill and surrounding buildings and with no empathy with anyone living in the immediate area;
- It would be a terrible shame to allow new developments to spoil the appearance of these beautiful Grade II listed buildings, that have been carefully restored and continue to pay homage to Manchester's proud industrial history. Buildings should step up gradually around the edges of height-restricted conservation areas;
- Taller buildings along Great Ancoats Street are 8-13 storeys and define the primary corridor and boundary of the Northern Quarter/Ancoats. This site is opposite a small scale house and in the context of other smaller scale historic buildings which would be completely dwarfed. The impact on the skyline would be negative;
- A 34-story building would have a significant negative visual impact on the conservation area and listed buildings in Ancoats. It is significantly higher than nearby properties and will "stick out like a sore thumb" on the landscape. Its architectural style is also not particularly in keeping or complimentary to nearby listed mills or conservation zone. The building is a dilution of the historic identity of Ancoats and the surrounding area of red brick mills and low story buildings;
- The scale would damage heritage values of Ancoats and the Northern Quarter and the desirability of property. We have an opportunity to create wonderful spaces and buildings in Manchester but they should complement the existing and extremely uncommon heritage and surroundings that we are privileged to enjoy;
- Pg.83 (para.5.65) within the Piccadilly Basin SRF states that "the heights presented are indicative and will be subject to testing in terms of relationship to heritage assets, conservation areas, microclimate and effect on residential amenity as part of future planning applications". Upon review of the submission documents (ES Conclusions) this testing has demonstrated the proposals will incur a high level of harm to heritage, townscape, amenity and right of light which would not be outweighed by the benefits of the scheme;
- Brownsfield Mill (grade II\*) (AVRO), the Former Rochdale Canal Warehouse (grade II\*) and 50-62 Port Street (grade II) are most impacted with adverse impacts on the setting of adjacent Conservation Areas. Proposals in their



setting should consider options which minimise 'harm'. Our principal concern is that it would detract from the significant character of the area and set a harmful precedent with particular adverse impacts on the setting of the distinctive mill chimney at Brownsfield Mill and the domestic scale of the late 18<sup>th</sup> Century dwellings at 50-60 Port Street;

- Viewpoints have been chosen that do not show the full extent of the adverse impacts and some views of the assets such as from Houldsworth Street would be completely obscured by the development when the views should be celebrated and options should be explored which would better enhance the setting of listed buildings;
- It is incomprehensible to why anyone would build an 11-storey building at the boundary of the 7-storey Brownsfield Mill and a 34-storey monolith a few meters away from it. The lack of any consideration is further demonstrated by the design of the buildings on Great Ancoats Street which cascade down towards Port Street where there is a 12-storey building instead of cascading towards Brownsfield Mill;
- Even a single instance of major-to-moderate adverse impact in townscape terms should be justified by substantial benefits;
- CGIs selected are limited to show the scheme in the best light. Ideally a Z mapping 3D model should have been generated to allow the scheme to be seen from whatever position required. This is relevant from streets abutting the site like Holdsworth Street but also from Avro which Historic England emphasized in their response; and
- The archaeology and heritage reports make it clear that it is very likely that the remains of the walls of the early-nineteenth century canal arm are currently buried beneath the site - and that they risk destruction if this development is permitted. It is the duty of the Council to protect them.

### **Affordable Housing/ Housing issues/ Need and Viability**

- There is no affordable housing and it would be preferable to have fewer homes and a lower development;
- The last thing Manchester city centre needs is yet another build rent skyscraper for 'young professionals'. There needs to be real affordable housing, not based on Manchester's ridiculous definition but housing available to rent at housing benefit rates or to buy for someone on minimum wage. Housing where someone in retail or hospitality can call home and not have the added cost of public transport or a taxi home;
- Planners need to consider the future of the planet because the generation who will be renting these substandard designed and built flats may not have much future to look forward to. Furthermore, I would ask where this generation of renters will go when they reach old age or lose their job and can no longer afford to rent? Many may be fortunate enough to buy their own home and move on. However, many more will end up unable to afford to buy or rent and with the dearth of affordable housing we are looking at a worrying future;
- This high rise is a counterintuitive housing solution and the perceived benefits of 485 flats in the sky are overstated. It is well-known that building high rises exacerbates the housing crisis and spurs social segregation. High rises are expensive because of the engineering involved, meaning they are only affordable to wealthy tenants. As some people cannot afford to live in high-

density housing nearby for the above reason, more low-density housing needs to be built, which promotes urban sprawl and pushes even average-earning individuals further out of the city centre;

- The smaller flats appear quite limited in scale and this will invite short-term occupancy and quick turn-arounds that leads to wear-and-tear on the building, and lack of a sense of ownership and community;
- Do we really need 36 storeys of more flats to be left barren, sold to developers in London or overseas with no one living there, ruining the spirit of the city from a diverse and exciting place to live to a concrete mess of skyscrapers that nobody even lives in. I think that the council and planning office has a responsibility to stamp out this sort of corporate corruption and to serve the community which it is supposed to represent;
- The developer may argue that a smaller project will be unviable financially. However, as recent developments in the area must show, creative 14-storey residential living can indeed be built successfully, balancing profit with aesthetics; and
- Is there a need for a further and large development of similar flats which will be largely for single people and couples? What is required is a development to complement the existing housing stock (which is largely apartments) and to develop low to medium rise family which will also complement the surrounding buildings (which are of a similar scale).

### **Impacts on amenity, privacy and living conditions of adjacent residents**

- A building of this height would have an unacceptable impact on sunlight and daylight especially to the East and North, especially in the winter when the sun is low;
- The reduction of natural light may, not only, have a damaging effect on residents' wellbeing, but also our health due to impacts on vitamin D levels;
- The development is not compliant with BRE 209: Site layout planning for daylight and sunlight: a guide to good practice. The results have been incorrectly interpreted and assessed. Chapter 7 of the ES has not demonstrated that effects on daylight, sunlight and overshadowing are negligible. On the above basis alone, the proposal should be refused;
- The BRE Guidelines state that where room layouts are known they should be used. This is also the case for the Annual Probable Sunlight Hours (ASPH) method. The room layouts have been assumed in this assessment however they are widely available on the planning portal. GIA must obtain them and use them to provide accurate NSL and ASPH results. The assessment needs to be completed again with this information utilised;
- The classification of major adverse is described in paragraph 7 of the BRE Guidelines and states that 'factors tending towards a major adverse impact include where a large number of windows are affected and loss of light is substantially outside the guidelines.' The assessment of the overall effects of the proposed development to some adjacent buildings is inaccurate with a false, skewed conclusion in item 7.92. There is a major adverse impact on >50% of the windows on the affected elevation. Under BRE 209 it is a major adverse impact if any one of the Vertical Sky Component (VSC) or ASPH criteria affects a majority of windows. Stating that the effect on daylight is 'non-significant' is a false statement. It is also inaccurate to state that as not all

apartments will be significantly affected so buildings as a whole will be 'okay' - the apartments that are facing the development will be significantly affected;

- Direct natural light has significant benefits on mental health, provides warmth in winter and is a desirable feature for property on the market. The proposed height could turn previously bright residences into dark flats, increasing energy consumption and affect the property values. These impacts would be accentuated by the increased numbers of people working from home;
- The development would cast shadows over adjacent amenity spaces and block out the sun for a considerable part of the day on a number of outside spaces including Islington Marina;
- There would be direct overlooking into adjacent properties and private spaces amenity impacting on levels of privacy;
- The wind microclimate assessment does not include impact on the external amenity areas of adjacent buildings. The downwards drafts from a 34-storey building will have an impact on the existing buildings surrounding the proposed site and this needs explaining clearly as it will harm the environment and could make it unuseable;.
- The increase in people (830+) including many young people would increase noise and antisocial behaviour late at night especially as nearby bars often close at 3-4am;
- Great Ancoats Street is an arterial ring road for commuters and residents, and I see no opinion on how construction works will impact traffic and living for residents during the several years construction will take. There will be disruption for residents for over 6 years as a result of this development which is completely unacceptable;
- The development poses a significant right of light problem to adjacent dwellings. The planning application does not consider or take into account this issue;
- The development would disrupt sightlines and viewpoints;
- The development will adversely impact on TV signals; and
- The development would impact on the legal rights of light of neighbouring properties;

### **Provision of Public Realm**

- The amount of outdoor space would not be at an appropriate level to offset the harm from the height in an area which would have a much increased level of density. Such a huge property should provide green space. Lockdown revealed how many were living in flats with no green space and not enough to share with the small Marina area. Adding another huge building here will only add to the problem. The proposed landscape node will be potentially overshadowed by future phase of adjoining sites;
- The public realm is enclosed, unappealing and insufficient to cater for the area's needs. The public benefits are outweighed by the damage that the building causes; and
- There is a dire need for green space in the Northern Quarter and Ancoats. How will additional green space be created for these new residents? The ward has thousands of residents and so far only one green space (by New Islington



tram). It feels that there is no space in summer I cannot find a small green spot to sit in and it will now be likely over shadowed by this development. The public realm covers a small area of land and consists of a short, landscaped alleyway between buildings that connects two roads with a few benches. The area is overlooked and overshadowed by neighbouring buildings with little direct sunlight. There is no space for children to play, or for dogs to exercise and would be little more than somewhere to pause rather than enjoy. The true benefits to the local community are few and far between. The developer paid lip-service to providing an area for congregation.

### **Climate Change / Embodied Carbon**

- Not enough green space to offset the carbon output. Loss of light to adjacent buildings with large windows would increase heating requirements. The building would not be carbon neutral with no sustainable features such as heat sink technology, solar power or adequate green elements and will add to global warming.

### **Traffic, Highways and Parking Provision**

- The 47 parking spaces is inappropriate on the grounds of congestion / climate change and city centre home owners should agree not to own a car. These streets are already congested and this scheme would increase it and make it difficult for existing residents to park and commute;
- The car park has mechanical ventilation with energy use for fans. In a power blackout, carbon monoxide levels might be a problem. The plans are for discharge of air ground level but it is not clear how this relates to pedestrians or users of the area;
- Parking is at a premium and the waste land used for parking could be aesthetically improved. 485 homes cannot be accommodated by only 47 parking spaces, plus the existing residents and workers that use the parking areas today;
- There would be a large volume of additional car journeys generated by taxi's, deliveries etc for such a large volume of additional residents which will adversely impact on traffic congestion levels;
- How is the additional traffic and construction traffic that this would generate compatible with the clean air zone (green zone); and
- Congestion due to parked cars has led to problems in the area with refuse disposal access. This has caused littering and the excess accumulation of waste within buildings which not sanitary. The limited parking would discourage the adoption of electric vehicles. The building would remove parking and cause more parking issues.

### **Precedent**

- The development would set a very unwelcome precedent for development on a similar scale for other buildings on sites such as Central Retail Park, where the highest building in the area becomes the norm on which to base further planning and development. This would have a further detrimental impact on the local area which is a heritage area with many listed buildings.

## Compliance with Planning Policy

- **Strategic planning policies: Piccadilly Basin SRF vs. Ancoats & New Islington NDF.** The strategic frameworks for Piccadilly Basin and Ancoats & New Islington share a common boundary along Great Ancoats Street but not a coherent vision for its development. In the absence of a joined-up approach, new proposals on Great Ancoats Street should be examined in detail. The need for a gateway development has expired following the creation of gateway developments at either end of Great Ancoats Street, and the expansion of the City Centre into Ancoats;
- The proposal contradicts policy on tall buildings (EN2): "a fundamental design objective will be to ensure that tall buildings complement the city's key existing building assets including its skyline and approach views";
- There are a significant number of private rented schemes in the area and an increase of this scale would be contrary to policy for Central Manchester in the GM Spatial Framework and Core Strategy Policies S03 "providing of a good range of high quality housing, (in terms of size, type, tenure, accessibility and price) and "creating a more balanced housing market by increasing levels of owner occupation from 46% to 60% by 2015" or Core Strategy Policy S04 (would not help create or support the distinctive local character or complement the two conservation areas and listed buildings "creating well designed places that enhance or create character" and developments that "protect and enhance the built and natural environment";
- The strategic framework for Ancoats sets a maximum building height of 8 stories, respecting the magnificent restored and brought back to life mill buildings fronting Redhill Street";
- The development would be contrary to Core Strategy Policy DM1 re effect on privacy and light; Policy CC9 (Design and Heritage, Core Strategy 2012); and Section 66 and section 72 of the 1990 Planning Listed Building and Conservation Area Act and the NPPF, 2021: The significance of the Listed Buildings and Conservation Areas have not been given sufficient weight, and the negative impact of the proposal on a historic building of significant value has been under estimated and it has not been demonstrated that the level of harm to their setting is justifiable or unavoidable;
- National Planning Policy Guidance (2021) paragraph 200 requires any harm to, or loss of, the significance of a designated heritage asset to be clearly and convincingly justified. The application does not do this;
- The assertion that the 'economic, social, environmental and heritage benefits' of the proposal are sufficient to outweigh the level of harm the development would have on townscape and heritage. The tenuous public benefits are limited and do not respond to the site context nor the context of the area. This is not a distinctive landmark building' as required within the Piccadilly Basin SRF, and it has not been demonstrated that the public benefits could only flow from the scheme. They could be achieved from an alternative scheme which does not result in such significant harm to the designated heritage asset closest to the site;
- The significance of the Listed Buildings closest to the site have not been given sufficient weight (as required by Section 66 of the 1990 Planning Listed Building and Conservation Area Act) and it has not been demonstrated that the level of harm to their setting is justifiable or unavoidable. The proposal fails

to preserve or enhance the significance of the nearby conservation areas and therefore fail to comply with the requirements of Section 72 of the Planning Listed Buildings and Conservation Areas Act, 1990.

### Consultation Process

- What is the point in having public consultation if the comments are ignored;
- A more thorough consultation process needs to be undertaken as stakeholder involvement has been kept to the minimum. The development of the site is welcomed but a better scheme can be designed which has greater empathy with the Northern Quarter and the sites context; and
- The consultation process showed that 81% of respondents did not support the development in the form proposed. The developer acknowledges the respondents' primary concern was the building's height. Despite this feedback, the developer has chosen to increase the proposed height of the building from 33 to 34 storeys since conducting the consultation exercise;

### Other

- The development would obstruct the views from the surrounding properties which is one of the major reasons that people moved to this area;
- The development would significantly increase the number of residents in the area without increasing the amenities available.
- What assessment has there been in relation to potential structural impact on the foundations of adjacent buildings including vibration damage;
- There could be impacts in terms of the safety and security of residents within adjacent buildings as a result of construction activity;
- The development will lead to overcrowding in the area and local businesses would not be able to support this number of residents. The local Aldi is already really crowded on the weekends and it would get so much worse;
- The only economic beneficiaries of this development appear to be the landowner who will no doubt gain substantially from an old industrial site/car park of limited value being given an over generous planning approval with significant value and the developers who will equally receive significant benefits from selling the scheme.

A 2<sup>nd</sup> round of notification resulted in a further 48 letters of objection.

- A nurse at the MRI, said how much busier they are since all the building in the city centre. 485 dwellings means at least 700 additional people who need doctors, dentists, pharmacies etc. etc. Mental health services in the city are stretched beyond the limit and social care is challenged;
- There are no CGI mock-ups provided for the top of Newton Street or Lever Street which displays the level of absolute dishonesty of the application;
- The building will block a huge amount of light towards Newton Street and Lever Street, affecting buildings including The Wentwood, The Sorting House, and 113 Newton Street, which will affect ~300+ flats. The bars of Port Street will also be plunged into darkness for a portion of the day;

- It is hideously out of context with the local area. It sticks out like a sore thumb. Considering it has the architectural appeal of a breeze block, that is a problem;
- Another greedy plan that Manchester council will approve without considering any additional facilities for residents in the area;
- Parking is already an issue on Jersey Street, Port street, Redhill St and the Ancoats Area. This will make parking worse;
- I could see no mention of affordable housing, so I hope that this isn't just for the rich to get richer. We are a couple who worked hard all our life and we can't afford any of these new apartments that are going up at the moment, and there is no space for our baby either as they are cramped;
- The overall assessment of the visual impact of the proposed development is stated as Moderate-Neutral in the Townscape and Visual Impact Assessment Addendum. I strongly disagree with this assessment. The proposal is taller than any surrounding buildings and change the view dramatically. It won't harmonise with the surroundings;
- We do not need more buildings, we need more green spaces and your lack of prioritisation of this is shameful;
- This amount of development will put severe pressure on existing inadequate local parking facilities;
- To bring in something that corporate will destroy the area and tarnish it as just another money grabbing venture. This will kill off small businesses in the surrounding areas and within 20 years will have no soul connected to the area. Simply a disgrace we are letting corporate suits ruin such a raw and Mancunian way of living;
- Scale inappropriate to Port Street surroundings evidenced by size in relation to Brownsfield Mill, dwarfing a historical building (associated with JS Lowry and part of an area used recently for US filming, attracted by the existing architecture);
- This will negatively affect the skyline, towering above others and cutting into the beautiful blue skies affecting the view for us and many other apartments. Where we were once able to see towards the Peak district we no longer be able to do so;
- I have lived in the area for 20 years from when it was a waste land of dereliction. The development has been fantastic but really tall buildings will destroy the Northern Quarter charm and create darkness. Manchester has a designated tall building area and it works well please don't allow a darkness precedent in the NQ it will signal a green light to more schemes and the unique culture will be lost;
- The flats will allow Pets and dogs which will increase the ever growing issues of dog urine and Faeces that are now a constant hygiene problem and smell for residents;
- I question the need for yet another one of these humongous skyscrapers with more and more people moving away from the city due to a lack of requirement for city living, less people having to be in a physical office environment when

the space could be used for something that works for current community such as much needed green spaces;

- Buildings such as these are better suited to other parts of the city;
- The loss of daylight to my flat and building would be catastrophic, it would severely effect my living conditions and my resale value. Overdevelopment of the city centre for financial greed of investors is appalling, you would expect a labour council to care more for everyday people and build affordable housing rather than continue to support investment properties;
- I would like to see the plans amended to install balconies on each floor, allowing residents a private outdoor space - this can be beneficial for mental health, as it allows residents to sit outside in private, keep some plants, or air dry clothes without causing humidity in their own home;
- Our view of the sky, and peoples views of distant trees would be almost entirely eradicated. This is of great concern to us as it would significantly impact our quality of life as people who both live and work from home;
- It is not acceptable to block so much light on so many neighbouring buildings. The light assessment has been done only for the 21st of March and not for the rest of the year. The inner courtyard to which my flat faces has currently the 21st of March only light for 6 hours. The proposed development of the 34-floor tower will reduce it to 3 hours which represents a 50% loss of light;
- The development will reduce severely the recreational value and well-being factor of Cottonfield Wharf area. That area will experience as well a 50% loss of sunlight;
- There will cause be a severe loss of privacy to have constantly 20+ floors peeping into my flat;
- Current developments in the city centre are causing severe bottleneck constraints to access GP and Primary Care services. I am also aware that access to nursery services is already stretched;
- The Council should be prioritising green spaces and cleaner streets but is instead approving another building;
- The conclusion that the commentary in the ES Heritage Addendum Statement says that the tower will be the most prominent building in views with the Wentworth the impact is concluded to only be minor adverse which seems illogical and therefore I question the accuracy of this conclusion;
- The cumulative impacts of this development should be considered along with the recently announced proposals for 100 apartment on Postal Street-how will these residents be impacted by the development?;
- New documents have been added to the consultation website on 4<sup>th</sup> and 10<sup>th</sup> May and the consultation was due to end on the 14<sup>th</sup> May how does this fit with the Council and Developer's responsibility to adequately consult neighbours with enough information in a timely manner?;
- The amended proposals do not adequate enhance the level of greenery for residents facing Port Street this is also contrary to the GA Elevation SW plans which show a line of trees in front of the tower;
- There is no clarity about why the developer increased the height from 32 to 34 storeys after the pre application consultation with residents where a number of people said that it was too tall and this needs to be provided.

- Why move this amount of residents into a noisy area which will just lead to complaints about noise levels.

A letter was received from an adjacent landowner which raised concerns about the quality of and amount of space being provided within pedestrian the link from Port Street. They have acknowledged that amendments to the plans have better recognised the importance of this route and request that an appropriate mechanism is put in place to ensure that secure boundaries and access restrictions during the night are removed as adjacent development is delivered.

The letters of support are summarised below:

- This area has been an eyesore for a very long time, the proposed development will have a very positive impact on the surrounding area, get it built!
- I support housing development on this site – homes are sorely needed in this area and car parking needs to be removed. This kills two birds with one stone;
- Great to see more such developments in the area with higher builds;
- The place an eye sore and is dangerous at night. The new development looks amazing and will improve the surrounding area greatly;
- The provision of public realm is positive as demand is high on a summers day and considered invaluable for high rise living residents. I always admire what these developers deliver, they consider the user in mind and get right what the consumer wants and the impact within the local area - I personally love the design of the proposed build;
- The area is in desperate need of development, and the proposed building appears to be of a very high-quality design. I have lived in the Northern Quarter for a number of years, including at the Sorting House on Newton Street - which almost directly looks out at the proposed building. The sprawl of surface car parks really lets down this lovely area. This big new scheme will be the driving force to redevelop this area -kickstarting the process off with a bang. Bringing in new residents will be a great benefit to this area -which is developing into an incredible place to live;
- The scale works well having the lower block addressing the street and the tower set back;
- We are sick to death of seeing car parks;
- This seems to be a wonderful development adding to the local community. Port Street has been long due for something like this to come along;
- So long as buildings of historical value are not damaged in the building of this new development I support it. The binding longevity from both a cultural and economical standpoint for the NQ will be the small character building sat amongst the taller contemporary structures;
- I'm loving the tower blocks being built in Manchester. More please!;
- The current car park is a tired eyesore and it's clearly long overdue for development. We are excited to see new commercial space to add to the vibrancy of the area;
- This will add high quality accommodation to an area of growth within the city centre and will utilise a site that is generally a blight to the area;

- The green area of public realm will be a beautiful addition to the water and basin and will be a positive benefit to local businesses who surround a busy highway;
- I would like to support the new Port St development as I think there's a need for more accommodation for young people in the Northern Quarter;
- The developer and architect appears to have presented a beautiful design that should be embraced by the city centre region;
- This will be a beneficial development that will attract an array of people, driving footfall and support for local businesses and even present opportunities for more to flourish. I look forward to seeing this area and community continue to change for the good, and to create more opportunities for the people who live within it;
- It will be life-changing for a lot of young people who are struggling to get on the housing ladder. Furthermore, it will enhance the neighbourhood and create further support to local businesses;
- The design of this scheme is fantastic and I personally believe that the addition of 1,000 new residents from this scheme will have a positive impact on both the community and local economy;
- I have worked in this area for number of years and I am really excited to see this car park / waste land get redeveloped. It has been eye sore for so many years and feels like very unsafe place to walk passed never mind park in it and it would compete the redevelopment of that section of Great Ancoats Street. The Simpson scheme is very well considered and takes into account the local vernacular and height of surrounding building with a nice level of detail along the street level facade. The tower at rear is tall but I feel that it is appropriate height to act as landmark building that NQ needs;
- It's a shame the site was being used as a car park and a big void along Great Ancoats Street. The more people in the area will mean better shops and more cafes and restaurants;
- I am strongly in support of the scheme as it will bring positive change to the Piccadilly Basin area while delivering much needed housing in the centre of the city;
- I believe the facade of the building as shown in the CGI images beautifully reflects the historical characteristics of the neighbourhood. While the tall side of the project can seem a bit strange at first, developments in central Manchester cannot be stopped just because of the height of a project. Considering the overall look of the project, I think it will fit in well in Ancoats. Also, anything is better than the car park that is currently there!;
- The City needs more opportunities for people to live in the city centre and enjoy the likes of Ancoats/NQ;
- I think the tower part of this building will be quite a landmark for Ancoats, and I think this would a good thing long term. Also I think the small flats would help young people get on the housing ladder;

Letters of support have also been received from Manchester Life and Town Centre Securities (a major land owner within the Piccadilly Basin SRF Area):

**Manchester Life-** supports the application noting that Port Street is on the desire line for walking and other Active Travel modes from Redhill Street to the City Centre. However, the proposed site and surroundings are currently in very poor condition,



with an unappealing and unsafe public realm, hindering Ancoats residents and visitors travelling to and from the city centre and discouraging active travel. Manchester Life is committed to encouraging and embedding active travel into the neighbourhood for the benefit of all residents and visitors and supporting Manchester's Net Zero goals. To that end, they see the proposed Port Street residential development as a positive addition to the area, particularly as it relates to improving the public realm and encouraging active travel with its extensive cycle parking.

**Town Centre Securities** - offer their full support for the proposals note that the proposals are perfectly aligned with the SRF vision and that securing a residential operator with the reputation of the applicants is testament to renewed confidence in the area and its emerging reputation as a residential neighbourhood of choice. They believe that the proposals would improve natural surveillance on all sides and consider that the proposed height is appropriate to create a marker in the inner ring road for this important intersection between Piccadilly Basin, Ancoats and the Northern Quarter. They appreciate the design evolution against the baseline of the 2 towers (33 and 20 storey) as indicated within the Piccadilly Basin SRF so as to maintain a comfortable environment for pedestrians around the site. They welcome the larger public realm area with a wealth of trees, plants and shrubs which will greatly improve biodiversity in the area and provide areas for members of the public to enjoy. The inclusion of a public route through the site will facilitate future permeability through the site catalysing the next phases of the development of the area.

They state that carefully curated retail units along Great Ancoats Street will activate the area and draw in more independent businesses to what is becoming a vibrant

**Brownsfield Mill (Avro) Residents Committee** – A letter of objection has been received on behalf of residents which is summarised below:

- The substantial height would impact a great nearby listed buildings including grade II\* assets; development within their setting should be of a form which minimises harm, does not obliterate the historic setting , completely detract from the significant character of the area or set a harmful precedent;
- This is not 'a distinctive landmark building' as required within the Piccadilly Basin SRF
- Viewpoints have been strategically placed and additional views from Great Ancoats Street (just north of Redhill Street) looking back at AVRO and from Houldsworth Street should be provided to demonstrate the major adverse harm to grade II\* listed buildings from Great Ancoats Street;
- The impact of the building on the character of the Stevenson Square and Ancoats Conservation Areas have not be adequately assessed;
- There are unfair contradictory visions in terms of impacts on heritage buildings in the Ancoats and New Islington NDF (which details an eight-storey height benchmark "only exceeded where a clear urban design, townscape and heritage rationale is presented" (para 4.19, page 22, NDF).) and the Piccadilly Basin SRF (which promotes the "opportunity for building heights to step up



towards Great Ancoats Street, culminating at its junction with Port Street” (para. 5.64, page 83, SRF);

- The lack of any consideration of the impact of this development on our building is further demonstrated by the current design of the buildings on Great Ancoats Street which cascade down to Port Street (on the other side of which there is already a 12-storey building instead of towards Brownsfield Mill;
- The ‘economic, social, environmental and heritage benefits’ are not sufficient to outweigh the level of harm on townscape and heritage. The benefits are limited and do not respond to the individual site context nor the context of the area. It has not been demonstrated that these public benefits could only flow from the scheme submitted. Such benefits could be achieved from an alternative scheme, of a suitable design, which does not result in such significant harm to the designated heritage asset closest to the site;
- The proposals should enhance, rather than adversely impact the heritage assets within the immediate and wider setting of the site.
- The public realm would offer little more than somewhere to pause rather than somewhere to enjoy. The true benefits to the local community are few and far between;
- The development would eradicate natural light into adjacent homes. The daylight, sunlight and overshadowing assessment has been completed inaccurately by not using the detailed information for Avro Apartments (Brownsfield Mill) using the no Sky Line (NSL) method, where room layouts which were available at the time of assessment are used within the analysis;
- The assessment of the overall effects of the proposal to Avro is inaccurate with a false, skewed conclusion in item 7.92. There is a major adverse impact on >50% of the windows on the affected elevation. Under BRE 209 it is a major adverse impact if any one of the Vertical Sky Component (VSC) or ASPH criteria affects a majority of windows. Stating that the effect on daylight is ‘non-significant’ is a false statement;
- A separation distance of 20m is not sufficient to justify the gross loss of privacy and the fact that there are residential apartments within the annex building. It also overlooks the sheer number of dwellings;
- Even a single instance of major to modest impact should not be justified by substantial benefits;
- The “Wind Microclimate” analysis makes no reference to the impact to Brownsfield Mill;
- There is a significant understatement of the challenges we will face in terms of noise disturbance from having 830+ new residents living opposite It minimises their impact in the immediate area in terms of traffic with Great Ancoats Street already congested. The lack of parking spaces in the scheme won’t lead to less traffic, due to people hailing taxis, calling in deliveries, etc;
- Vibration and ground disturbance during temporary works may affect the structural integrity of Brownsfield Mill. This is not adequately assessed;
- Ideally a Z mapping 3D model should have been generated to allow the scheme to be seen from whatever position required;

- The original SRF scale and massing suggested the tallest massing should be to the north-east of the site. The massing was also slender in plan so offered a better silhouette on the skyline. The proposal has jumped to the conclusion that a single landmark building is a better response and positioning to the south of the site will help minimize its mass;
- There is no justification for a landmark building or a public green space node for the site or wider context. There are options for less height, greater density at ground floor level and tighter viewing distances between the buildings – to develop the Northern Quarter massing principals further and use its urban grain as precedent.
- Single sided / dual aspect accommodation as shown on two of the lower buildings is not efficient on dense city centre sites and leads to more buildings on site when not necessary;
- Tall buildings with central cores are very efficient but this does not mean they must be square towers over the whole height;
- Manchester already has plenty of square tall buildings, but this building appears stumpy and short;
- Evidence from the pandemic has shown the need for balconies and fresh air and if these were incorporated the facades could all more interesting and the impact of the mass reduced;
- Residential buildings should be easy to maintain, weather well and allowed to grow old gracefully and improved with age. Metal facades need a lot of maintenance and looking after to keep looking pristine. A rusty brown metal landmark building needs a thorough investigating to fully understand what is to be used on the facades – is the metal anodized, powder coated or something else that is envisaged and how does it perform with life cycle costs to keep looking good for the next 100 years.
- There is no demonstration of a 'Right to Light' assessment which is a legal requirement for Avro Apartments as Brownsfield has been on the site for over 20 years. It is also not a requirement for Avro to have been fully occupied during these 20 years. It needs to be demonstrated that Avro's right to light has not been impacted on as a result of the proposal before any construction can take place.

**Royal Mills Residents Association** - A letter of objection has been received on behalf of residents. They would support a sensitive development and have set out their objections of the following material planning considerations:

- Strategic planning policies: Piccadilly Basin SRF vs. Ancoats & New Islington NDF
- Strategic planning policies: creation of a gateway to the city centre
- The effect on listed buildings and the Ancoats Conservation Area
- Clustering and relationship to context
- Overshadowing, loss of outlook, loss of privacy and loss of sunlight
- Inadequate provision of public realm
- Parking and highway issues
- Consultation

Mirroring the concerns in relation to the Piccadilly Basin SRF & Ancoats and New Islington NDF outlined in the Brownsfield Mill objection above they state that in the absence of a coherent, joined-up approach to regeneration and development along

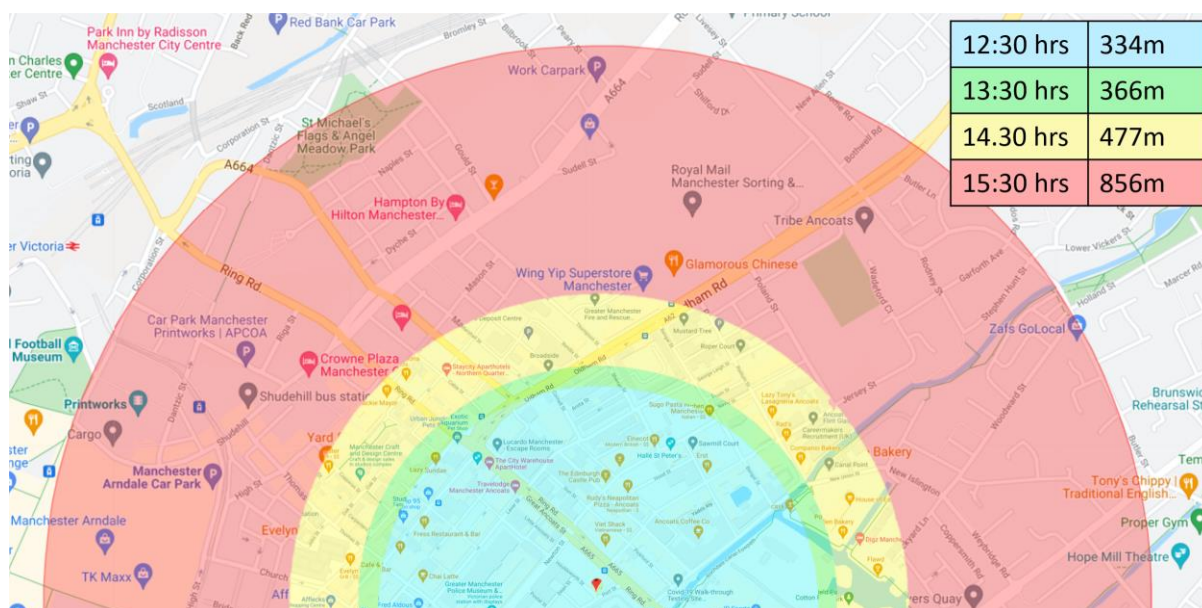
Great Ancoats Street, the proposal should not be approved on the basis that it aligns to the 2016 Piccadilly Basin SRF. Instead, wider consideration must be given to the building's integration with its surroundings today. A tower would provide another tall city centre building, *not* a gateway and be a dominant and unfortunate anomaly against the surrounding buildings of historic interest which is inappropriate. The Piccadilly Basin SRF recommends a "ground +32" storey building which was challenged by Historic England and also rejected by the Developers as unsuitable for the street scene on Great Ancoats Street. This demonstrates that the SRF was poorly considered. Instead, the Developers propose a 34-storey tower, set back from Great Ancoats Street, behind a lower 7, 9 and 11-storey podium building. The lower building is of a more appropriate height but repositioning the 34-storey tower minimise the gateway impact. It does little to reduce its impact within the 'Zone of Visual Influence' for neighbouring historic buildings.

Appropriate development should be encouraged, but the qualities which have resulted in such a successful regeneration of Ancoats must be recognised and protected. The Development Framework for Central Retail Park, demonstrates that it is reasonable to expect that a building located immediately adjacent to a conservation area should respect its purpose. A 34-storey tower overlooking the Ancoats conservation area, and contrasting so extremely with Ancoats' 8-storey height will significantly undermine and detract from the conservation area's sense of history and place.

There are no proposals within either the SRF or NDF to cluster other tall buildings around the Port Street / Great Ancoats Street development and the 34-storey tower bears no relationship to its context, including to the historic buildings that surround it. The tower will dominate the many listed buildings that fall in its shadow; in particular, the neighbouring Brownsfield Mill and cluster of mills along Redhill Street. We ask that the number of storeys be significantly reduced.

Many of the photo montages provided by the Developer to illustrate their proposals fail to allow the viewer to fully consider the tower in this context; the images either crop out the tower's upper floors, or they position it partially behind other structures in the photos' foreground. Consequently, the way in which the tower is perceived, particularly in regard to its context, changes drastically.

The Environmental Statement Vol. 1 considers the impact of overshadowing on just six neighbouring building and does not include a description or diagram to illustrate the sweep and reach of shadows cast across the local neighbourhood. The statement does not document the total number of homes that will be impacted by the building's shadow, nor the amount of time that these homes will spend in its shadow during the different seasons of the year. A loss of sunlight and outlook will be felt as far as the New Islington Marina, the cafes of Cotton Field Park and beyond. A tower of this height will adversely impact neighbouring historic buildings and these nearby outdoor spaces that provide residents vital access to sunlight.



The development offers few community benefits. The level of public realm has similarities to that at Oxid House which did not deliver where it was stated in the planning submission that “*The creation of a new public square – ‘Newton Square’ – as part of the development will assist in creating a sense of place and will become a destination and landmark in this part of the Northern Quarter.*” The public realm provision is enclosed, unappealing and insufficient in terms of catering for the Areas needs. It covers a small area of land and consists of a short, landscaped alleyway. The area is overlooked and overshadowed and receive little direct sunlight. There is no space for children to play, or for dogs to exercise. The Developer hopes that, at some point in the future, the alleyway may be extended across a neighbouring plot of private land to connect two roads, but this remains outside of their control. A few benches will be included. The public realm is little more than somewhere to pause rather than somewhere to enjoy. The benefits to the community are limited.

The development’s will exacerbate issues with overcrowding and littering across the limited public parks. A reduction in the number of apartments and an increase in the public realm would address this.

The Statement of Consultation explains that parking has used the 2011 Census with the average number of cars per household in the Manchester 055 Middle Super Output Area being 0.41. Applying this ratio of cars per household suggests that 199 parking spaces are required not the 47 proposed. The parking is insufficient. They don’t provide for the scheme nor facilitate electric cars over the next decade. Reducing the development and increasing its parking provisions would address this.

81% of respondents did not support the development. How has the developer considered local objections to the height.

**Ward Members** – Councillor Wheeler objects to the development stating that the viability study for the site says specifically that the scheme could meet the affordable housing policy of MCC and still deliver a 12.2% profit for the developers. Despite this the developers have chosen to shirk their duty to our city and its people and attempt to get away with a payment that amounts to less than 3% of the total profit they

expect to make on this scheme. It is sheer avarice and greed. It is vital that the committee reject this proposal pending a response from the developers that does not treat this council like the fools they clearly think we are.

**Historic England** - Note the site is occupied by a surface car park and does not contribute positively to the setting of nearby heritage assets. As such they have no objection to its development, and they note that the proposals would create a strong building line on Great Ancoats Street and Port Street, re-establishing a sense of enclosure. This is important from a streetscape perspective and provides a link through the currently ill-defined space between the Ancoats and Stevenson Square Conservation Areas, both of which are partly characterised by their relatively enclosed street pattern. Historic England would therefore see a benefit to this element of the proposals.

However, they consider that the scale of the development would negatively affect the contribution made by the sites setting in relation to the significance of Brownsfield Mill, as it would have a considerable impact on the setting in which the mill is experienced and be a visually prominent addition to the streetscape and competing and overshadowing presence which would distract from its special historic and architectural interest. This is significant, as the imposing scale of the mill makes an important contribution to the way in which its historic function and place within the townscape is appreciated and is a defining element of its architectural character. It is therefore sensitive to changes within its setting which would overshadow, overpower or compete with it. The proposals would therefore harm its architectural significance. It is, however, noted that there is some mitigation provided by the proposed off-setting of the tower further into the site, which has the effect of partly separating the two buildings within viewpoint G.

As the ability to appreciate its architectural presence also positively reinforces its important position in understanding the history of Manchester, it would also negatively affect its historic interest. This would be particularly evident in the distraction it would provide from the ability to appreciate the building's interrelationship with the canal and the wider chain of mills. In doing so, its visual presence in views looking south past the other mills to the north along the Rochdale Canal would also have a minor negative effect on their significance.

They note that National policy relating to the conservation and enhancement of the historic environment is articulated in section 16 of the NPPF. These policies state that assets should be conserved in a manner appropriate to their significance (para.189) and that when considering the impact of a proposed development, great weight should be given to the asset's conservation (para.199). Where development would result in less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal (para.202). These national policies are supported in local planning policy. In this instance these are set out within the Manchester City Council Local Plan (adopted 2012), with Policies CC9, EN1 and EN3 being of particular relevance to the assessment of this application at a lower level, as a result of the greater physical separation between the site and these assets.

The harm from the proposed development is identified to be less than substantial, with the harm to Brownsfield Mill falling at a mid-point of the spectrum of harm envisaged by paragraph 202 of the NPPF. The harm to the adjacent mills is concluded to fall at the low end of the spectrum of harm covered by this paragraph.

They recommend that the issues outlined in their advice need to be weighed in the planning balance as per paragraphs 189, 199 and 202 of the NPPF and that in determining this application, the statutory duty of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered. Section 66(1) requires the decision maker 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) requires them to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

**Canal & Rivers Trust** – Have no objections. They note that the site is not immediately adjacent to the Rochdale canal but would be visible from the wider canal corridor. However, the state that Brownsfield Mill would screen the majority of the development from the immediate environs of the canal corridor and they welcome that the impact on the canal related heritage assets to be affected by the proposal have been assessed. They note that the main impact is likely to be on the setting of the grade II\* Brownfield Mill and although not owned by the Trust, clearly has a historic connection to the canal. This would however be a consideration for other statutory bodies, and we note that Historic England have not challenged the potential impact at the pre application stage. The Trust is satisfied that the potential visual impact on the waterway corridor has been assessed and that the proposed development would not cause harm to our assets. They would welcome any contribution that may be sought for improvements to the towpath access from Great Ancoats Street to maximise its use by future residents.

**Head of Highways-** no objections subject to conditions about off-site highways works, pavement materials, the provision of a Car Club Bay, provision and adoption of a Travel Plan and a Construction Management Plan

**Travel Change Team** – Have no objections and have made suggestions about improvement in relation to surveys and resulting targets which should form part of the final travel plan and about the wider dissemination of the Travel Plan to residents and staff / visitors.

**HS2** – Have no objection. They note that it is clear that the developable area of the proposal will not encroach upon formal safeguarded land. They do note however that there is a possibility that public highway adjacent to the site could be disturbed by HS2 utility works and that the applicant is made aware of this.

**Head of Regulatory and Enforcement Services** (Street Management and Enforcement) - No objection and recommends conditions relating to acoustic insulation of the premises and plant and equipment, the storage and disposal of refuse, the hours during which deliveries can take place, the management of construction and the mitigation / management of any contaminated land.

**Greater Manchester Police (Design for Security)** – No objection subject to the recommendations of the Crime Impact Statement being implemented with further measures to secure internal storage of seating and other associated fixtures and fittings internally outside of the hours of operation.

**Greater Manchester Ecology Group** – No objections and note that overall enhancement of the site for wildlife should be maximised by inclusion of native and wildlife attracting species in the planting schedule and other measures, the details of which should be conditioned.

**Flood Risk Management Team** – Recommend that Green Sustainable Urban Drainage Systems are maximised and conditions should ensure surface water drainage works are implemented in accordance with Suds National Standards, verification of these objectives and secure 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 of the existing rates and achieving greenfield runoff rates, where feasible.

**Environment Agency** – No objection subject to their recommended conditions being attached to any consent granted.

**United Utilities** – No objections subject to a condition about surface water run off.

**Sport England** - Objects as the proposal makes no contribution to formal sports facilities and recommends that sufficient community infrastructure for indoor and outdoor sports facilities are provided to support the increase in population.

**GMAAS** – Have no objections. They note that a Desk Based Archaeological Assessment concludes that below-ground remains of archaeological interest may survive at the site, especially those deriving from the early 19th-century canal arm and wharf. Any such remains would not be of national, but regional or local significance a condition should require further investigation and recording.

**Health and Safety Executive (Gateway 1)** – No objections but have commented on the submitted Fire Safety Statement identifying some potential issues with unprotected portions of the external façade in relation to which they support the undertaking of a detailed analysis at the detailed design stage, the consideration of access to water for fire fighting and the need for separation of ancillary areas from the common staircase.

These issues may have an impact on planning considerations of design and layout of the building that may have implications for planning which could usefully be considered now.

**Greater Manchester Fire and Rescue Service** – The firefighting arrangements meet the requirements for Fire Service access in relation to the width of access road and location of a fire hydrant and the scheme promotes use of a sprinkler system.

**Manchester Airport Safeguarding Office** – Have no objections

**National Air Traffic Safety (NATS)** – Have no objections

**Natural England** – No comments received

## **Issues**

### **Local Development Framework**

The principal document is the Core Strategy. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development. The proposals are consistent with Core Strategy Policies SP1 (Spatial Principles), CC3 (Housing), CC5 (Transport), CC6 (City Centre High Density Development), CC8 (Change and Renewal), CC9 (Design and Heritage), CC10 (A Place for Everyone), H1 (Overall Housing Provision), H8 (Affordable Housing), T1 (Sustainable Transport), T2 (Accessible Areas of Opportunity and Need), EN1 (Design Principles and Strategic Character Areas), EN2 (Tall Buildings), EN3 (Heritage), EN4 (Reducing CO2 Emissions), EN6 (Target Framework for CO2 Reductions), EN8 (Adaptation to Climate Change), EN9 (Green Infrastructure), EN14 (Flood Risk), EN15 (Biodiversity and Geological Conservation), EN16 (Air Quality), EN17 (Water Quality), EN18 (Contaminated Land), EN19 (Waste), PA1 (Developer Contributions), DM1 (Development Management) and DM2 (Aerodrome Safeguarding).

### **Saved UDP Policies**

Some UDP policies have been saved. The proposal is considered to be consistent with the following saved UDP policies DC 10.1, DC18, DC19.1, DC20 and DC26.

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

**SO1. Spatial Principles** - This development would be highly accessible and reduce the need to travel by private car which could contribute to halting climate change.

**SO2. Economy** – Jobs would be created during construction, homes provided near to employment. It supports economic growth. Local labour agreements would deliver social value and spread the benefits of growth to reduce economic, social and environmental disparities to help create inclusive sustainable communities.

**SO3 Housing** - Economic growth requires housing in attractive places. This is a sustainable location and would address demographic need and support economic growth. The City's population has continued to grow as its economy has expanded.

**SO5. Transport** - This highly accessible location is close to public transport and would reduce car travel.

**SO6. Environment** - the development would help to protect and enhance the City's natural and built environment and ensure the sustainable use of natural resources in order to: mitigate and adapt to climate change; support biodiversity and wildlife;



improve air, water and land quality; improve recreational opportunities; and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

### **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, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The proposal is considered to be consistent with sections 5, 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF.

Para 105 states that the planning system "should actively manage patterns of growth in support of the objectives of promoting sustainable transport" (para 104).

"Significant development should be focused on locations which can be made sustainable" as "this can help to reduce congestion and emissions and improve air quality and public health".

Paragraph 119 states that "planning policies and decisions should promote 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". This should be done in a way "that make as much use as possible of previously - developed or 'brownfield' land"

Paragraph 120(d) Planning policies and decisions should: "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".

Paragraph 124 states that planning policies and decisions should support development that makes efficient use of land, taking into account:

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

gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places

Paragraph 126 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”

Paragraph 130 states that planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) 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); d) 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; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) 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 134 states that development that is not well designed should be refused, especially where it fails to reflect 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. Conversely, significant weight should be given to: a) 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 b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings

NPPF Section 6 - Building a strong and competitive economy and Core Strategy Policies SP 1 (Spatial Principles), CC1 (Primary Economic Development Focus), CC4 (Visitors- Tourism, Culture and Leisure) and CC8 (Change and Renewal) – The development would be close to sustainable transport, maximise the use of the City's transport infrastructure and enhance the built environment, create a well-designed place and reduce the need to travel. It would deliver outcomes in line with the Piccadilly Basin SRF.

The proposal would develop an underutilised, previously developed site and create employment during construction and permanent employment through building management, the commercial uses and public realm maintenance. This would support economic growth and complement nearby communities. Resident's use of local facilities and services would support the local economy. The proposal would

enhance the built and natural environment and create a well-designed place and create a neighbourhood where people choose to be. The public realm would support the business and leisure functions of the city centre improving the infrastructure.

NPPF Section 7 Ensuring the Vitality of Town Centres and Core Strategy Policies SP 1 (Spatial Principles) and CC2 (Retail) – The City Centre is the focus for economic and commercial development, leisure and cultural activity and city living. The proposal would be part of an area which would attract and retain a diverse labour market. It would support GM's growth objectives by delivering housing for a growing economy and population, within a major employment centre in a well-connected location and would help to promote sustained economic growth.

NPPF Section 9- Promoting Sustainable Transport and Core Strategy Policies CC5 (Transport), T1 (Sustainable Transport) and T2 (Accessible Areas of Opportunity and Need) - The site is easily accessible to pedestrians and cyclists, and sustainable transport options including trams at Piccadilly Station and New Islington and trams and buses at Piccadilly Gardens. A Travel Plan would facilitate sustainable transport and journey lengths for employment, business and leisure would be minimised. The proposal would support sustainability and health objectives and residents would have access to jobs, local facilities and open space. It would improve air quality and encourage modal shift from car travel. Pedestrian routes would be improved, and the environment would prioritise pedestrian and disabled people, cyclists and public transport. All car parking spaces could be EV enabled.

NPPF Sections 5 (Delivering a sufficient supply of homes) and 11 (Making Effective Use of Land) and Core Strategy Policies CC3 Housing, CC7 (Mixed Use Development), Policy H1 (Overall Housing Provision), H2 (Strategic Housing Location), Policy H8 (Affordable Housing) and Policy CC10 A Place of Everyone – This high-density scheme would use a sustainable site efficiently in an area identified as a key location for residential growth. It would contribute to the ambition that 90% of new housing being on brownfield sites. It would have a positive impact on the area and provide accommodation which would meet different household needs. The apartments would appeal to single people, young families, older singles and couples.

Manchester's economy continues to grow and investment is required in locations such as this to support and sustain it. The City Centre is the biggest source of jobs in the region and this proposal would provide homes to support the growing economy and contribute to the creation of a sustainable, inclusive, mixed and vibrant community. It is expected that a minimum of 32,000 new homes will be provided within the City Centre from 2016-2025 and this scheme would contribute to meeting the City Centre housing target in the Core Strategy. Around 3,000 new homes are required per each year within the City and the proposal would contribute to this need

A Viability Appraisal demonstrates that the scheme is viable and deliverable but cannot sustain a financial contribution towards affordable housing. Notwithstanding this the applicant has offered an initial contribution of £1,000,000 towards offsite affordable housing. The viability would be reviewed at a later date to determine if the schemes viability improves and a greater contribution can be secured This is discussed in more detail below

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 development would use the site efficiently. It would promote regeneration and change, creating an attractive and healthy place to live and spend time. The quality and appearance of the building would meet the expectations of the Piccadilly Basin and HS2 SRF. The building and public realm would improve functionality and contribute to the planned growth of the City Centre towards New Islington and Eastlands beyond.

Any detrimental impact on adjacent heritage assets would be outweighed by the public benefits. The adjacent conservation areas are in a mixed setting and the proposal would be viewed within that context. An analysis of detailed impacts and the justification for accepting these is set out in detail below.

The scale and quality would be acceptable and would contribute to place making and create a cohesive urban form. It would improve the character and quality of a poor quality site. The positive aspects of the design are discussed below.

A Tall Building Statement identifies key views and assesses the impact on them. It also evaluates the relationship to context / transport infrastructure and its effect on the local environment and amenity. This is discussed below.

The following parts of the NPPF should also be noted:

189. Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation

194. 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 proposal includes, or has the potential to include, heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

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

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

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

200. Any harm to, or loss of, the significance asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>68</sup>.

202. Where a proposal will lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

206. Local planning authorities should look for opportunities for development in Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

A Heritage Appraisal, Visual Impact Assessment and NPPF Justification Statement demonstrate that the historical and functional significance of adjacent heritage assets would not be undermined and their significance would be sustained.

The current site does not make a significant contribution to townscape and the site has a negative impact on the setting of adjacent heritage assets. A good quality building that makes a positive contribution to the townscape could enhance their setting. The proposal would cause less than substantial harm to the setting of the adjacent listed buildings and conservation areas and these need to be weighed against any public benefits.

The redevelopment and the creation of active frontage and improved connections providing stronger links between the city centre core, Piccadilly Basin, the Northern Quarter Ancoats and New Islington would enhance the street scene. The building has been designed to respond to its context. However, Historic England are concerned about the impact of its visual dominance on Brownsfield Mill (Avro) in some views and its relationship with the Rochdale Canal and wider chain of mills to the north whilst acknowledging that the overall design has mitigated these impacts to some degree by setting the Tower element back from Great Ancoats Street.

Core Strategy Section 8 Promoting healthy communities - Active street frontages and public realm would increase natural surveillance.

Saved UDP Policy DC20 (Archaeology) – The Desk Based Archaeological Assessment concludes that below-ground remains of archaeological interest may survive within the application area, especially those deriving from the early 19th-century canal arm and associated wharf. Any remains should be recorded.

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), EN 8 (Adaptation to Climate Change), EN14 (Flood Risk) and DM1 (Development Management - Breeam requirements) - An Environmental Standards Statement demonstrates that the development would accord with a wide range of principles that promote energy efficient buildings. It would integrate sustainable technologies from conception, through feasibility, design and build and in operation. The design has followed the principles of the Energy Hierarchy to reduce CO2 emissions and it would meet the requirements of the target framework for CO2 reductions from low or zero carbon energy supplies.

Surface water drainage would be restricted to a Greenfield run-off rate if practical, and the post development run-off rate would be 50% of the pre development rates as a minimum. The drainage network would ensure that no flooding occurs for up to and including the 1 in 30-year storm event, and any localised flooding would be controlled for up to and including the 1 in 100-year storm event including 20% rainfall intensity increase from climate change. The surface water management would be designed in accordance with the NPPG and DEFRA guidance in relation to Suds.

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy Policies EN 9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN 16 (Air Quality), Policy EN 17 (Water Quality) Policy EN 18 (Contaminated Land and Ground Stability) and EN19 (Waste) - Information on the potential risk of various forms of pollution, including ground conditions, air and water quality, noise and vibration, waste and biodiversity have demonstrated that the proposal would not create significant adverse impacts from pollution. Surface water run-off and ground water contamination would be minimised

An Ecology Report concludes that there is no evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected. Biodiversity would be improved. The proposals would not adversely affect any statutory or non-statutory designated sites.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out environmental improvement's outcomes in the context of growth and development objectives. The contribution of this proposal is discussed in more detail below. There would be no adverse impacts on blue infrastructure. The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy details measures that would minimise waste production during construction and in operation. Coordination through the onsite management team would ensure that waste streams are managed.

DC22 Footpath Protection - The development would improve pedestrian routes within the local area through ground floor activity and the introduction of new public realm and improved and better quality connectivity.

Policy DM 1- Development Management - Outlines a range of general issues that all development should have regard to and of these, the following issues are or relevance to this proposal:

- appropriate siting, layout, scale, form, massing, materials and detail;
- design for health;
- impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- that development should have regard to the character of the surrounding area;
- effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- accessibility to buildings, neighbourhoods and sustainable transport modes;
- impact on safety, crime prevention and health; adequacy of internal accommodation, external amenity space, refuse storage and collection, vehicular access and car parking; and
- impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

The above issues are considered in detail in below.

Policy PA1 Developer Contributions - This is discussed in the section on Viability and Affordable Housing Provision below

DC26.1 and DC26.5 (Development and Noise) - Details how the development control process will be used to reduce the impact of noise on people living and working in the City stating that this will include consideration of the impact that development proposals which are likely to be generators of noise will have on amenity and requiring where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate This is discussed below.

### **Planning Policy Guidance (PPG)**

The relevant sections of the PPG are as follows:

Provides guidance on how air quality should be considered. Paragraph 8 states that mitigation options where necessary will be locationally specific, depend on the proposal and should be proportionate to the likely impact. LPAs should work with applicants to consider appropriate mitigation 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 noise impacts depend on the type of development and the character of the 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 proposal. 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 Relevant City Council Policy Documents**

### **Climate Change**

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

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

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

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the MCCB made a proposal to update the city’s carbon reduction commitment in line with the Paris Agreement, in the context of achieving the “Our Manchester” objectives and asked the Council to endorse these ambitious new targets.

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

Manchester’s science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at

a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken.

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

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

How proposal relates to policy objectives set out above is detailed below.

### **Other Documents**

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposals would be consistent with these principles and standards.

It is considered that the following design principles and standards are relevant to the consideration of these applications: Each new development should have regard to its context and character of area; The design, scale, massing and orientation of buildings should achieve a unified urban form which blends in and links to adjacent areas. Increased density can be appropriate when it is necessary to promote a more economic use of land provided that it is informed by the character of the area and the specific circumstances of the proposals; Developments within an area of change or regeneration need to promote a sense of place whilst relating well to and enhancing the area and contributing to the creation of a positive identity. There should be a smooth transition between different forms and styles with a developments successful integration being a key factor that determines its acceptability; Buildings should respect the common building line created by the front face of adjacent buildings although it is acknowledged that projections and set backs from this line can create visual emphasis, however they should not detract from the visual continuity of the frontage; New developments should have an appropriate height having regard to location, character of the area and site specific circumstances; Developments should enhance existing vistas and create new ones and views of important landmarks and spaces should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises; Visual interest should be created

through strong corners treatments which can act as important landmarks and can create visual interest enliven the streetscape and contribute to the identity of an area. They should be designed with attractive entrance, window and elevational detail and on major routes should have active ground floor uses and entrances to reinforce the character of the street scene and sense of place. For the reasons set out later in this report the proposals would be consistent with these principles and standards.

Piccadilly Basin Masterplan and SRF – Piccadilly Basin is a major strategic opportunity where extensive and comprehensive redevelopment can be delivered. Investment here will complement established regeneration initiatives elsewhere in the city centre, and in particular the north east at Ancoats and New Islington. The proposal lies within the SRF area and for the reasons set out below it is considered that the proposals would deliver the aims, objectives and opportunities that the SRF seeks to secure.

HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018) – This area is a key transport node and has a critical role to play in the city's economic regeneration. Significant investment is planned in the local area, based on Piccadilly Station. The 2018 a Strategic Regeneration Framework (SRF) covers investment in the station and surrounding area. It sets out ambitious plans for the transformation of Station and surrounding area into "a major new district for Manchester with a world class transport hub at its heart".

The Piccadilly SRF Area is a sub area of the HS2 SRF. It provides guidance for proposals around the Station and seeks to maximise the "regenerative and growth potential" around a new multi-modal transport interchange. The purpose of the Masterplan is to ensure that the City is able to capitalise on the development opportunities presented by HS2 and expansion of the Station which could transform the eastern fringes of the City Centre. Being in close proximity to the SRF Area the proposal would support and complement this next phase of growth in Manchester and enhance the City's productivity. This would contribute positively to the delivery of strategic regeneration objectives and be complementary to improving connectivity between the City Centre and communities to the east including between New Islington. This is discussed in more detail below.

Ancoats and New Islington NDF (2016 (updated Character Area 3 2020) - Ancoats is made up of a number of distinctive mixed-used neighbourhoods, including New Islington, that sit on the north eastern edge of the city centre. They are a link between the city centre and the East Manchester. The Framework seeks to guide the comprehensive positive regeneration of the area to deliver an attractive and successful residential-led neighbourhood with opportunities for a wider mix of complementary uses where increasing numbers of people would choose to live, work and spend leisure time.

The priorities for this area include; encouraging redevelopment of vacant and underutilised sites for residential, commercial and service uses and encouraging development that is massed to provide spatial definition along Great Ancoats Street. The proposal would be complementary to those objectives as set out in the Report

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

This site in the area designated as Piccadilly and the wider Piccadilly area is identified as having the potential for unrivalled major transformation. The investment provided by HS2 and the Northern Hub is a unique opportunity to transform and regenerate the eastern gateway, defining a new sense of place and providing important connectivity and opportunities to major regeneration areas in the east of the city. Piccadilly Basin is in the north east of the City Centre and is an important transition between the existing and extended city centre. The City Centre Strategic Plan endorses the recommendations in the HS2 Manchester Piccadilly SRF. The proposal would complement the realisation of these opportunities. It would enhance the sense of place that previous development has established in the Basin and strengthen physical and visual links between the City Centre and regeneration areas beyond. This is discussed in more detail later in this report.

Manchester Residential Quality Guidance (July 2016) (MRQG) – The City Council's has endorsed the Manchester Residential Quality Guidance which is now a material planning consideration. The document provides specific guidance for Manchester and includes a section on the consideration of space and daylight. The guide states that space standards within dwellings should comply with the National Described Space Standards as a minimum. In assessing space standards for a particular development, consideration needs to be given to the planning and laying out of the home and the manner in which its design creates distinct and adequate spaces for living, sleeping, kitchens, bathrooms and storage. The size of rooms should be sufficient to allow users adequate space to move around comfortably, anticipating and accommodating changing needs and circumstances. The proposal is broadly in keeping with the aims and objectives set out in the guidance.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place. The proposed development would contribute to achieving the above targets and growth priorities.

'Powering Recovery: Manchester's Recovery and Investment Plan' – This sets out what Manchester is doing to respond to the COVID-19 pandemic and reinvigorate its economy, with plans to protect and create jobs, and support new business opportunities in the city's economy. It sets out how Manchester can play a leading role in the levelling-up agenda, with ambitious plans to build on recent investment in economic assets and infrastructure and accelerate the growth in high-productivity

sectors including the Digital, Creative, Technology and Health Innovation Sectors alongside the well established financial and professional services sectors. This includes support for major job-generating investment with high-growth sectors, new-starts and scale-up. Another target envisaged in the plan is the permanent closure of parts of Deangate which it is envisaged will be a catalyst for the regeneration of the area. The wider Masterplan vision of which the current application forms part would be complementary to this regeneration.

People and businesses want to be in Manchester; they choose to live and work here. The stability of the city centre is essential to attract further growth and the provision of further high quality, high density residential accommodation, in a location adjacent to areas targeted for employment growth would, along with the associated public realm and wider site improvements to be delivered as part of wider Masterplan, support the growth of the target sectors detailed above.

Stronger Together: Greater Manchester Strategy 2013 - This is the sustainable community strategy for the Greater Manchester City Region. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life.

The proposed residential accommodation would support and align with the overarching programmes being promoted by the City Region via the GM Strategy. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population and to address undersupply and the Council is adopting measures to enable this. The proposals represent an opportunity to address these requirements adjacent to a major employment centre and in a well-connected location.

'Made to Move' Beelines Strategy (2018) - This sets out to provide 1,000 miles of walking and cycling routes across Greater Manchester, both promoting sustainable transport and connecting communities. The overall objective is toward encouraging sustainable, active modes of transport as the primary choice for residents and visitors in the city. In addition, it sets out to provide 1400 new crossings that again remove physical barriers dividing communities and provide safer walking routes through the city. Much of these changes are to be primarily community led.

The strategy addresses problems with connectivity, air quality, and propensity for cycling in addition to supporting other alternative modes of transport to reducing commuter parking in the area. It also presents the possibility to deliver new temporary street improvements to trail new schemes for local communities, and public realm improvements with walking and cycling routes integrated.

There are two of these new 'beelines' with funding planned in the Northern Quarter, nearby the Site. In the January 2020 investment plan for Beelines, two routes were announced that will run nearby to the Site, and other parts of the Northern Quarter:

- Piccadilly to Victoria (proposed for February 2022);
- Northern and Eastern Gateway (proposed for September 2021)

The proposed improvements to the public realm would complement the Bee Line Strategy.

## **Conservation Area Declarations**

### **Stevenson Square Conservation Area Declaration**

The application site lies within the setting of the Stevenson Square conservation area located on the north-eastern edge of the city centre of Manchester. It was designated in February 1987 and was subsequently extended in December 1987 to include houses on Lever Street and Bradley St. The Stevenson Square conservation area represents a significant portion of the city centre in which the majority of Victorian buildings remain intact. The majority of buildings of architectural or historic interest in the conservation area are Victorian or early-20th century. Most are related to the cotton industry, often warehouses, showrooms or workshops. These buildings are taller than the earlier examples and create a varied matrix of building mass, divided by largely dark, narrow streets. One of the key aims for the area is to improve and restore this characteristic where it has been eroded.

### **Ancoats Conservation Area Declaration**

The significance of the Ancoats Conservation Area is derived from the former cotton spinning mills, which dominate the area and are principally located adjacent to the Rochdale Canal and the nearby housing. Historically throughout the area, there have always been commercial and residential buildings. This juxtaposition, and interlinking of manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world. Furthermore, the concentration of mill buildings within Ancoats has become an important landmark in the history of the Industrial Revolution. Murray Mills, McConnel and Kennedy Mill, along with others in the area, represent a clear chronology of development of cotton mill architecture from 1800 to the 1920s. Although the area is dominated by the mill buildings, the Conservation Area also contains other Listed Buildings of differing character.

## **Other National Planning Legislation**

### **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 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 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) Regulations 2017 and National Planning Practice Guidance (2017).**

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations (as amended 2011) and Circular 2/99 ('The Regulations') and has considered the following topic areas:

- Heritage
- Townscape and Visual Impact
- Wind Microclimate
- Socio-Economic
- Human Health
- Climate Change
- Noise and Vibration
- Daylight, Sunlight and Overshadowing

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. The Site covers an area of approximately 0.35 hectares but is above the indicative applicable threshold of 150 residential units. It has therefore been identified that an EIA should be carried out in relation to the topic areas where there is the potential for there to be a significant effect on the environment as a result of the Development. The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects. In accordance with the EIA Regulations, this ES sets out the following information  
A description of the proposal comprising information about its nature, size and scale;  
The data necessary to identify and assess the main effects that the proposal is likely to have on the environment;

A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, flora, fauna, soil, water, air, climate, cultural heritage, landscape and the interaction between any of the foregoing material assets;

Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects;

Summary, in non-technical language, of the information specified above. It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation.

There will be no unduly harmful cumulative impacts as a result of this development. The impacts relating to the construction phase are temporary and predictable. The interaction between the various elements is likely to be complex and varied and will depend on a number of factors. Various mitigation measures are outlined elsewhere within this report to mitigate against any harm that will arise and these measures are capable of being secured by planning conditions attached to any consent granted.

It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation. It has been prepared by a competent party with significant experience and expertise in managing the EIA process who hold the IEMA EIA Quality Mark. The preparation of the Statement has included technical input from a range of suitably qualified and experienced technical consultees.

### **Principle of the redevelopment of the site and the Schemes Contribution to Regeneration**

Regeneration is an important planning consideration as it is the primary economic driver of the region and crucial to its longer term economic success. There has been a significant amount of regeneration in Piccadilly over the past 20 years through private and public sector investment. Major change has occurred at Piccadilly Gardens, Piccadilly Basin, Piccadilly Station, Piccadilly Triangle, Kampus and the former Employment Exchange. This will continue as opportunities are presented by HS2, and the City Centre Core continues to expand to areas such as Ancoats, New Islington and Portugal Street East. The development would contribute to the area's transformation and regeneration.

Manchester is the fastest growing city in the UK, with the city centre increasing its population from a few thousand in the late 1990s to circa 24,000 by 2011. The population is expected to increase considerably by 2030, and this, together with trends and changes in household formation, requires additional housing and the proposal would contribute to this need. Providing the right quality and diversity of housing including affordable homes, is critical to economic growth and regeneration to attract and retain a talented workforce and critical to increasing population to maintain the City's growth. These homes would be in a well-connected location, adjacent to major employment and areas earmarked for future employment growth.

The Piccadilly SRF highlights an urgent need to accelerate the delivery of homes and the proximity of Piccadilly Basin to the Station and all public transport modes means that it is ideally located. The SRF identifies that this site is suitable for a tall building given its location at a key intersection between the Basin and Ancoats, New Islington, Holt Town and the Etihad Campus and the Northern Quarter. The indicative scale in the SRF identifies two residential buildings, of 33 and 20 storeys.



This previously developed brownfield site is in a highly sustainable well-connected location. The proposal includes public realm (just under 0.15 hectares), private space for residents and improved footpaths to Port Street and Great Ancoats Street. New pedestrian and cycle connections would link to surrounding developments and the canal basin.

The site has a poor appearance and fragments the historic built form and creates a poor impression. This proposal would address these issues and provide a positive use that benefits the surrounding area. The ground level activity and improved connectivity would integrate the proposal into the urban grain. Enhanced legibility would create a more vibrant and safer pedestrian environment which would also improve the impression of the area for visitors.

The development would deliver significant economic and social benefits including employment during construction and in the building management and commercial units on completion. The development would create 601 full time equivalent jobs over the 2 build period plus jobs connected to the supply chain. Total net GVA from the construction phase would generate around £28.5 million in the local economy. A condition for a local labour agreement would ensure discussions can take place with the applicant to fully realise the benefits of the proposal. It is estimated that the construction phase could provide the opportunity for around 120 new trainee placements, over the construction period. An estimated 24 jobs would be supported on site on completion. This would create an estimated £1.12 million in GVA.

485 new homes would accommodate up to 844 residents who would spend around £4.1m per annum locally, potentially equating to the creation of 41 full time jobs. Council tax revenue is estimated to be £0.88 million per annum and increased household spend around £3.8m per annum in the local economy

The proposal would use the site efficiently and effectively in line with Paragraph 119, 120(d) and 124 of the NPPF. It would improve the environment in a sustainable location and deliver high quality homes for sale with healthy living conditions. It would be close to major transport hubs and would promote sustainable economic growth. 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

### **Viability and affordable housing provision**

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

An applicant may seek an exemption from providing affordable housing, or provide a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, where a financial viability assessment demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; 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 485 PRS homes. The delivery of homes is a council priority. The proposal would develop a brownfield site where the topography makes development challenging. It would create public realm and active frontages on a site which makes little contribution to the area. It would have a good quality appearance and comply with the Residential Quality Guidance. All these matters have an impact on viability.

A viability report has been made publicly available through the Councils public access system. This has been independently assessed, on behalf of the Council, and its conclusions are accepted as representing what is a viable in order to ensure that the scheme is deliverable to the highest standard.

A benchmark land value of £3,075,000 and build costs of £208 per sq. ft. are within the expected range based on comparable evidence. The Gross Development Value would be £154,486,580 which would give a profit of 15.02% on GDV. On this basis the conclusion of the independent assessment was that the scheme cannot support a contribution towards off site affordable housing and remain viable to the quality proposed. Notwithstanding this the developer has offered an upfront contribution of £1,000,000. which would result in a profit level of 14.18% on GDV.

There would be provisions in a s106 agreement to allow the viability to be re-tested to assess whether any additional affordable housing contribution could be secured should market conditions change during construction.

### **Residential development - density/type/accommodation standards**

All homes would meet, and some would exceed, space standards. All would have a MVHR system to draw filtered air into the homes. Residents could override the system through openable vents/ screens. Apartments would have large windows to increase natural sunlight and daylight. The flexibility of the open plan arrangement responds to contemporary lifestyles. All homes in the perimeter block would be dual aspect with 681 sqm of ground floor amenity space and in a double level space between floors 7 and 8. The amenity / lobby areas would include co-working spaces, spaces to relax and a residents' gym to foster a community feel.

The mix and size of the homes would appeal to single people and those wanting to share. The 2 and 3 bed apartments would be suitable for 3 to 5 people and could be attractive to families and those downsizing. They could be converted to meet all needs. Balconies and walkways would create a sense of community and provide natural surveillance of the landscaped zones.

A condition would require a management strategy and lettings policy for the homes and a management strategy for the public realm including the hours of operation of the private terraces. This would ensure that the development is well managed and maintained and support long-term occupation.

## **CABE/ English Heritage Guidance on Tall Buildings**

One of the main issues to consider is whether a part 7, 9 11 and part 34 storey building is appropriate in this location. This would be a tall building and should be assessed against the relevant policies in the NPPF and Core Strategy that relate to Tall Buildings and the Tall Buildings Guidance of English Heritage and CABE.

### **Design Issues, relationship to context, including principle of tall building in this location and the effect on the Historic Environment**

This considers the design in relation to context and its effect on key views, listed buildings, conservation areas, scheduled Ancient Monuments, Archaeology and open spaces. The key issues its appropriateness and its impact on the setting of the Ancoats, Stevenson Square Conservation Area and affected listed buildings and non-designated heritage assets all of which lie within 500m of the site. The design has been discussed with Historic England and Places Matter and public engagement took place

Tall buildings can play an important role in shaping perceptions of an area. The Core Strategy supports tall buildings that are of excellent design quality, are appropriately located, contribute positively to sustainability and place making and deliver significant regeneration benefits. However, they should relate sensitively to their context and make a positive contribution to a coherent city/streetscape. Sites in the City Centre are considered to be suitable where they are viable and deliverable, particularly where they are close to public transport nodes. These parameters have informed the SRF's which have promoted regeneration in the city centre over the past 20 years. Taller buildings should; relate to key nodal points and gateways, key vistas and public spaces, positively contribute to the skyline and deliver significant, high quality public realm to create a high quality, sustainable neighbourhood.

The area includes a mix of large former cotton spinning mills adjacent to the Rochdale Canal and beyond, cleared sites, some lower level Georgian Buildings and beyond these more modest scale former warehouses. There are modern buildings on Great Ancoats Street such as Oxid House (13 storeys), Astley (9-15 storeys) and Oxygen (33 Storeys) which reflect the growth and expansion of the City Centre.

The townscape around the site is mixed, where movement corridors between the city core with its expanding fringes intersect. The site is identified in the Piccadilly Basin SRF as an opportunity to introduce a tall building within high quality public realm. The design would create a landmark at an important juncture and define a key pedestrian route into the City Core. A tall building would create a focal point between Piccadilly Station, the Northern Quarter, Ancoats and New Islington. The former mill complexes which characterise much of Ancoats have a large footprint.

The key design parameters in the SRF require tall buildings to respond to effects on the historic environment, particularly Brownsfield Mill, through a visual impact analysis and assessment and ensure that micro-climatic effects in terms of wind and sunlight / daylight, do not have an adverse effect on the safety, comfort or amenity.

The location of the tower has sought to minimise its impact on adjacent conservation areas and listed buildings. Site specific considerations have informed the design

including surrounding developments, its accessibility, the nearby homes and listed buildings and the relationship with existing and future built context.

The proposal has been informed by heritage, overshadowing and wind microclimate advice. To respond to its historic context and its neighbours. Rather than two towers, as envisaged in the SRF, a single tower is proposed, offset from the road, with a lower perimeter block that repairs the streetscape. This would reduce the visual impact on nearby historic buildings, reduce overshadowing of neighbouring buildings, and improve the wind environment. The lower perimeter block ties the building into its context and creates a more human scale along Great Ancoats Street and Port Street.





The Core Strategy requires tall buildings should help to create a unique, attractive and distinctive City. They should enhance the character and distinctiveness of an area without adversely affecting valued townscapes or landscapes or intruding into important views. The site and its general context undermine the quality and character of the townscape at a main entry point into the City. A lack of street level activity creates a poor impression.

The proposal would improve the area and use the site efficiently. The setting back of the building on the side facing Brownsfield Mill and the adjacent Port Street plot would create space around the building footprint which would enhance its interface with the public realm. The ground floor uses should strengthen the street frontages and provide natural surveillance.

The elevations aim to respond to the surrounding context. A regular pattern of bays would reference a City Centre building typology and the ordered grid reflects the more horizontal emphasis of the former nearby industrial buildings. Visual interest would be provided through stretcher and header brickwork bonds. The brick facades provide a tighter grain grid to Port Street and a vertical grid towards the mill to complement its proportions. Deep brick piers would reflect the character of nearby historic mill buildings. There would be deep reveals and a double storey order at ground floor with large expanses of glazing to provide active frontage.

### **Design Issues, relationship to context and the effect on the Historic Environment.**



### Impact on Designated and Non Designated Heritage Assets 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 Heritage Assessment Townscape and Visual Impact Assessment (TVLA) used Historic England's updated policy guidance on the Setting of Heritage Assets (Historic Environment Good Practice Advice in Planning Note 3, Second Edition). (December 2017). The magnitude of the impacts (both beneficial and adverse) are identified in the assessment as high, medium, low, negligible or neutral.

A visual impact assessment, analysed 15 verified views before and after development, including cumulative impacts. Two additional views have been included in response to comments received via the neighbour notification process.



Figure 1. Plan of viewpoints assessed in Heritage Statement by ReForm. Viewpoints assessed in the Heritage Statement (November 2021) are A-I and M-P. Additional viewpoints that form part of this addendum document are indicated in red. Viewpoints J-L are assessed in their accompanying TVIA report.

#### **TVLA and Heritage Assessment viewpoint locations (including additional views)**

13 of these viewpoints and 3 additional views have been analysed to provide a qualitative assessment of the effects of the proposal on heritage assets. This also includes the additional views raised by neighbours. Cumulative impacts are shown in wirelines.

In total 18 viewpoints have been assessed for townscape and heritage impacts as appropriate.

The TVIA considers impacts on Town Centre Character Areas within 500m of the Site, which include: New Islington; Ancoats; Northern Quarter; Piccadilly; Retail Core; and Kampus.

Impacts on New Islington would be neutral and on the Retail Core negligible. For Ancoats, the Northern Quarter and Piccadilly the proposal would infill an area of unused land and positively reinforce the urban grain and deliver positive benefits. The material palette and activation of the ground floor in the lower podium blocks to Port Street would reinforce the uses and character at the edge of the Northern Quarter. The additional greenspace would be beneficial.

There would be some localised low magnitude of change in Ancoats, primarily from the southern edge of this area where there will be a tall building. However, the regular and tight urban grain of Ancoats restricts views to the majority of the area.



**Baseline** -The view comprises a variety of architectural styles and forms, including medium rise buildings (6-12 storeys) and smaller buildings (2-3 storeys) with open views of the sky. The weathered steel of Oxid House and Great Ancoats Street are prominent in the view. There are no significant heritage assets prominent in view.

**Townscape Impact** -The proposal would alter the view substantially. The podium would be in line with the frontage along Great Ancoats Street. The tower would project higher than all adjacent buildings, creating a distinctive focal point. The overall effect would be Minor-Moderate Neutral.

**Impacts on Heritage Assets** - The proposal would be highly visible and introduce a tall new above the roofscape. Although taller than the recently completed nearby development, it would be seen as part of the continuing developments of Great Ancoats Street and would not visually intrude or dominate the view. This would not alter the character and appearance of the Ancoats Conservation Area, or the setting of the Grade II\* Daily Express Buildings and would have a Neutral Impact.



**Baseline** – There is a wide variety of architectural styles and forms, with medium rise (6-12 storeys) and smaller buildings (2-3 storeys) with open views of the sky. The weathered steel of Oxid House and Great Ancoats Street are prominent. There are no significant heritage assets prominent within view.

**Townscape Impacts** -There would be discernible change to view but the design and brick cladding would have a positive relationship with existing buildings. The overall effect would be Minor Beneficial

**Impact on Heritage Assets** -The development is largely concealed from view by modern development with only its lower podium visible which would appear as a continuation of the existing streetscape. The proposal would not affect the setting of the Ancoats Conservation Area and its impact Neutral.



**Baseline** - The Grade II\* listed Brownsfield Mill and some city centre roofscapes are visible. On the right, several Grade II and Grade II\* listed buildings form a distinctive and prominent heritage architectural element with continuous blocks along Redhill Street. Building heights are relatively consistent at around 5-8 storeys. The left side is dominated by a dark grey clad block modern apartment block in Cotton Field Wharf. The Rochdale Canal dominates the centre of the view.

**Townscape Impacts** - the materials and design of the building reflects buildings in Ancoats, including those on Redhill Street. The tower would introduce a vertical element but would not be the tallest roofscape within the view. The overall effect would be Moderate Neutral

**Impact on Heritage Assets**- The tower would largely be visible providing a punctuation to the skyline and contrast with the open, linear forms in the view. The block on Great Ancoats Street would be seen as a continuation of the large mill blocks. The continual façade of the early mills and warehouses would remain fully



visible but the tower would be a visual intrusion to the historic skyline and result in a minor-to moderate change. Consequently, the view is considered to result in a Minor Adverse impact on the character and appearance of the Ancoats Conservation Area and on the setting of the heritage assets in the view.



**Baseline** - Some city centre roofscape including the City Tower are visible. The Grade II\* listed Brownsfield Mill is the focal element on the left side with a row of mature trees with glimpses of the commercial building on the right. The foreground is dominated by public space. The medium rise nature permits open views of the sky. Great Ancoats Street runs across the view.

**Townscape Impacts-** The view would alter substantially as the proposal introduces a building where there is no built form. The podium block would be of the same scale as the existing buildings and provide streetscape amination which would be a substantial enhancement on the existing car park. The design would respond to the character of Brownsfield Mill. The tower would introduce a large vertical element but would not screen a significant view. The overall effect would be Moderate -Major Beneficial

**Impacts on Heritage Assets-** There would be a major change to the setting of the Grade II\* listed Brownsfield Mill and to the immediate streetscape. The height and massing would be a dominant element in the townscape which would compete with the Grade II\* listed Brownsfield Mill and lessen its dominance. Consequently, it would alter the setting and understanding/appreciation of the Grade II\* listed Brownsfield Mill and would be Minor-to-Moderate adverse.



**Existing Baseline-** Oxygen dominates the left side with commercial units and homes above to the right. The Grade II listed Royal Mills is in the centre. There are a variety

of architectural styles with medium rise (6-12 storeys) and low-rise buildings (2-3 storeys) and distant views of high rise. Great Ancoats Street is prominent.

**Townscape Impacts** There would be a slightly discernible change to view, however the design and materials would relate well to neighbouring buildings. The tower would be higher than the surrounding buildings but is partially obscured by Oxygen Tower and street trees and the overall effect would be Minor Neutral

**Impacts on Heritage Assets** - The proposal would be partially visible, concealed in part by the buildings in the mid and foreground. The main components of the Ancoats Conservation Area are the horizon, but this is not the best place from which to appreciate their setting, appearance or character. There are a number of designated heritage assets in the view but the magnitude of change and the ability to appreciate their significance is altered negligibly. The proposal would be seen as in distance, signalling the continuation of the city beyond. The proposals would introduce variety to the skyline and would not compromise the settings of the any designated heritage assets and its impact would be Neutral.



**Baseline** -Burlington House is in the foreground and the Grade II\* listed Brownsfield Mill at the end. The left is dominated by an apartment block with a glimpse of the Grade II\* listed Jackson's Warehouse. On the right side is the edge of a multi-storey car park. The Rochdale Canal is in the centre and allows open views of rooflines.

**Townscape Impacts** -There are modern contemporary buildings in the view and the apartment block in the left and the car park façade are considerable modern elements. The development would be behind modern buildings and be a prominent element but would not be substantially uncharacteristic. The tower would introduce a vertical element extending above Burlington House. It would not screen any views of significance including Brownsfield Mill and the effect would be Moderate Neutral

**Impact on Heritage Assets-** The proposal would largely be visible as a feature in the mid-distance that relates to contemporary developments to the foreground. The lower would in part extend behind the Grade II\* listed Brownsfield Mill but would not affect the ability to understand the building's setting or character, which is better revealed in kinetic views when traveling further north-east. The minor visual change would not alter the settings or understanding, or appreciation of the Listed Buildings and the impact would be Neutral.



**Baseline** -The Grade II\* listed Brownsfield Mill forms a distinctive and prominent architectural element. To the left are The Astley and Oxid House; two apartment blocks between 8 and 15 storeys. To the far left a glimpse of the extension to The Wentwood and to the right is a glimpse of the roofscape of Ancoats. The foreground is dominated by the brick wall of the canal bridge.

**Townscape Impacts** The tower would alter the view substantially obscuring a large proportion of the left side of the view and the podium would impact on Brownsfield Mill. However, the design would be in keeping with the aesthetic of the neighbouring buildings and the overall effect would be Moderate- Major Neutral

**Impact on Heritage Assets** The proposal would be a landmark feature with a moderate-to-major visual impact. The scale and mass of the proposal is in contrast to the smaller scale and massing of the adjacent Grade II\* listed Brownsfield Mill.

The tower element would compete with and diminish the dominance of the Grade II\* listed Brownsfield Mill and would partially alter the understanding/appreciation and setting of it. The impact would be Minor-to-Moderate adverse



In this alternative viewpoint the location of the camera has been altered to capture the full height of the tower with the surrounding townscape visible. This is not a replacement view to View G. the original TVA assessment outcomes are to remain as part of the application



**Baseline (Alternative)** -There are extensive views of modern buildings of varying heights and styles including Urban Exchange to the right with Burlington House to the left. The Astley and Oxid House are in the centre. The newer extension to the Wentwood building is in the background and beyond this are Northern Quarter roofscapes,

**Townscape Impacts (Alternative)**- The tower would be large dominant feature and alter the view substantially. the design would respond to historical red brick buildings in the Northern Quarter and Piccadilly Basin and the impact would be Moderate Neutral.

In comparison to original View G, the visual effects have reduced although the magnitude of change remains high. The additional modern and mixed quality built form which offer limited sense of place or defined townscape character reduces the perception of visual impact. Visibility of the Grade II listed Brownsfield Mill also becomes obscured and the sensitivity of the view is reduced.

**Impact on Heritage Assets (Alternative)** -There would be a major change to this view. The design reflects nearby modern buildings in the vicinity although ratio of glazing to masonry differs. The scale of the proposal diminishes the legibility of the area as a once historic area with buildings of moderate height and mass that relate to and utilise the canal. This impact is mitigated by the fact that the building articulates a city block with a landmark and offers coherence. Its dominating presence in the setting of the adjacent Grade II\* listed Brownsfield Mill, would erode to a discernible extent the heritage interest of the heritage assets' setting, with a Minor Adverse impact.



View H: Existing View

View H: Proposed View

**Baseline** -There is a glimpse of Great Ancoats Street and the roofscape of Ancoats. The Astley is prominent in the background. Hilton Street and Port Street comprise of the Crown & Anchor public house and commercial units on the ground floors of a row of terraced houses.

**Townscape Impacts** -The tower would be of a much larger scale compared to existing buildings, project much higher than all adjacent buildings and would become the dominant feature and alter the view substantially. It would be notably different to the buildings in the foreground and the impact would be Moderate – Major Adverse

**Impacts on Heritage Assets** - The development would be clearly visible above the established historic roofline of the domestic-scaled Grade II listed buildings. The tower would introduce a new skyline contrasting with the largely horizontal and linear forms of the Grade II listed former weaver's cottages. This would be a major visual change which would result in a visual intrusion to the settings of the domestic-scaled Grade II listed buildings in the foreground.

The height would demonstrably erode the established setting of the domestic scale of the streetscape, which has historically been defined by a continual range of red-brick buildings of 2-to-3 storeys and would result in a moderate adverse impact on the settings of the Grade II listed 50-62 Port Street and a Minor Adverse impact on the character and appearance of the Stevenson Square Conservation Area.



View I: Existing View



View I: Proposed View

**Baseline** - The view is mainly made up of paving, turf and trees. The fountain and the statue of Queen Victoria are visible. Several buildings can be seen at the edge of the Gardens. The open nature of Piccadilly Gardens permits extensive visibility of sky and local rooflines.

**Townscape Impacts**-The view would not alter, and the effect would be negligible.

**Impacts on Heritage Assets**- The proposal is not visible, and the impact is Neutral.



View J: Existing View



View J: Proposed View



View J: Cumulative View

**Baseline** -The view is across the marina with trees in the centre and the City Tower at the end to the right is the Grade II\* listed Royal Mills and New Islington Free School. The low-rise nature of the built form permits open views of the sky.

**Townscape Impacts**- The design would respond to the character of Ancoats including the blocks on Redhill Street. The podium block would continue the form of the blocks along Redhill Street. The tower would introduce a vertical element, along



with the glimpsed views of City Tower. The proposal would be prominent element but not substantially uncharacteristic and the effect Moderate Neutral.

**Impact on Heritage Assets** – Not included in analysis as not visible



View K: Existing View



View K: Proposed View

**Baseline** -Oldham Street is on the left and Dale Street on the right. The view down Dale Street includes 3 Grade II listed buildings and other heritage buildings are on Oldham Street. The low-rise nature of the local built form permits relatively open views of the sky. Roof heights are relatively consistent, although variation is created through architectural detailing and articulation

**Townscape Impacts)** -There will be no alteration to or loss of the view. The overall effect would be **Negligible**.

**Impact on Heritage Assets** – Not included in analysis as not visible



View L: Existing View



View L: Proposed View

**Existing Baseline** - The view is down Thomas Street with Shudehill on the left. There is a glimpse view of the Grade II listed Hare and Hounds pub on Shudehill and the Grade II listed Former Fish Market on Thomas Street. The low-rise nature of the local built form permits relatively open views of the sky. Roof heights are relatively consistent, and variation is created through architectural detailing and articulation.

**Proposed** -There will be no alteration to or loss of the view. The overall effect would be Negligible.

### Impact on Heritage Assets - Not included in analysis as not visible



**Baseline** -Tariff Street with Brownsfield Mill at the end of the view. The Grade II listed Fourways is on the right with a glimpse of the Grade II\* listed Jackson's Warehouse. The left is dominated by a low-rise commercial building. The low-rise nature of the built form permits relatively open views of the sky. Roof heights are relatively consistent, with variation through architectural detailing and articulation.

**Townscape Impacts** -The design responds to the heritage character of Brownsfield Mill and Fourways House. It would be prominent behind modern commercial buildings but would not be substantially uncharacteristic. The tower would be a vertical element above the office block but would not screen any significant views including Brownsfield Mill. The overall effect would be Moderate Neutral.

**Impacts on Heritage Assets-** The proposal would partly be concealed from view by the existing buildings, but the tower would introduce a tall, vertical component that rises above the established historic roofline.

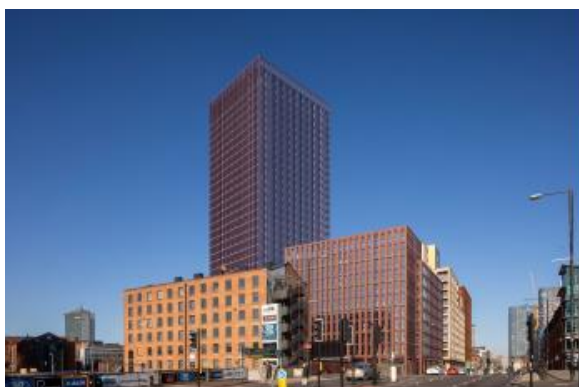
This minor visual change would partially alter the settings, understanding, and appreciation of the heritage assets and therefore the impact is Negligible Adverse.



**Baseline-** This short range view is from the north side of Great Ancoats Street with a varied range of building types, styles, heights and dates. It shows the immediate setting and context of the rear and side of the Grade II\* listed Brownsfield Mill,. Astley forms a dominant feature of the centre re-establishing solid street wall to the

southern side of the Great Ancoats Street. To the right are modern commercial units, on the southern boundary of the Ancoats Conservation Area. This view represents aspects of the heritage interests and setting of the Grade II\* listed Brownsfield Mill well. However, although this view is located within the immediate setting the Ancoats Conservation Area, this is not the best location from which to understand or appreciate the character and appearance of the Conservation Area.

**Impact on Heritage Assets** - The proposal would be highly visible and redefine the urban block. It would create a sense of enclosure and an active streetscape. This enhancement to the urban form, would partially enhance the setting of the Grade II\* listed Brownsfield Mill building and would provide cohesion and balance to Great Ancoats Street. However, tower would be intrusive and dominate the Grade II\* listed building and is at odds with the established surrounding height and scale of both historic and modern developments. It would result in a moderate-to-major change which would impact the understanding and appreciation of the setting of the Grade II\* Brownsfield Mill with a Minor-to-Moderate adverse impact.



View N1: Proposed



View N1: Existing



View N1: Cumulative

**Baseline (Alternative)-** The former Rochdale Canal Warehouse (Grade II\* listed) (Jacksons Warehouse) is now visible to the left understandable as an historic industrial building, and the uppermost point of the gable is a feature against the skyline. Its full significance is not well understood in this view, due to the distance and the orientation of the view which sees the building from the east, towards the building's altered elevation. In tandem with Brownsfield Mill (Grade II\* listed), the grouping of the pair, provide a sense of historic character and the openness in the setting allows for their forms to be understood, and is an important aspect of



character which contributes' to the assets' significance. This openness is a remnant of the historic openness that the buildings would historically have experienced, standing in open plots with active, working yards.

Also visible in the distance to the right of the former Rochdale Canal Warehouse is the City Tower. This is a much taller form but is understood as being at some distance from the immediate surroundings, appearing as a backdrop.

This view represents aspects of the heritage interests and setting of the Grade II\* listed Brownsfield Mill well and the setting of the former Rochdale Canal Warehouse (Grade II\*), although the significance of the latter is only moderately well represented. Although this view is located within the immediate setting the Ancoats Conservation Area, this is not the best location from which to understand or appreciate the character and appearance of the Conservation Area.

**Impact on Heritage Assets (Alternative)** - The proposal would be a major change that would redefine the area having a notable impact on the setting of the Grade II\* listed heritage assets. It would strengthen the sense of enclosure and provide an active streetscape which would partially enhance the setting of the Grade II\* listed Brownsfield Mill. The tower would be intrusive and dominate the presence of the Grade II\* listed building and is at odds with the established surrounding height and scale of both historic and modern developments. It reduces the sense of openness which is an important aspect of the two Grade II\* listed mills setting. The pulled-back nature of this viewpoint (when compared to the closer-range Viewpoint N submitted in the Heritage Statement, November 2021), allows for the full extent of the height to be appreciated in the setting of the Grade II\* Brownsfield Mill, with a greater impact. This would cause moderate-to-major change which will impact the understanding and appreciation of the setting of the Grade II\* Brownsfield Mill and result in a Moderate Adverse impact.

The cumulative view shows the yellow wireline of the Swan Street development. The Swan Street development appears further north on Great Ancoats Street, obscured by existing townscape on the right of the view. There would be no change in impact to that of the proposed view.



View O: Existing



View O: Proposed

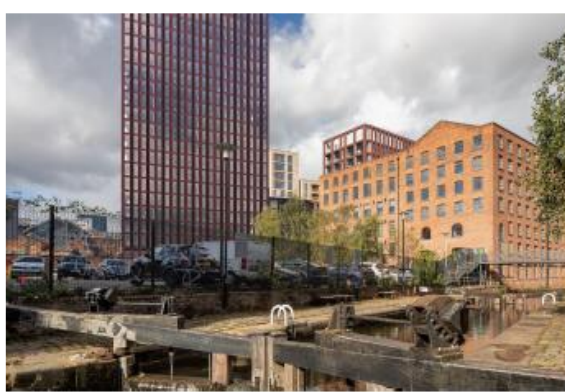
**Baseline-** The left is One Piccadilly Gardens development and Immediately ahead is a row of Grade II listed former offices, shops and warehouses forming the southern boundary of the Stevenson Square Conservation Area. However, this location is not

a good place to appreciate and understand the character of the Conservation Area, which is better understood when traveling further north towards Stevenson Square. To the right is the Grade II listed Portland Thistle Hotel, and Grade II listed Nos. 3,5 and 9, Portland Street, terminating with the modern glass and metal 1 Portland St. The view extends along Newton Street and the Stevenson Square Conservation Area, where further 19th century warehouses gradually diminish in scale. All buildings are of a similar height, but their appearance, materials and uses differ. The heritage interests of the identified heritage assets are well represented.

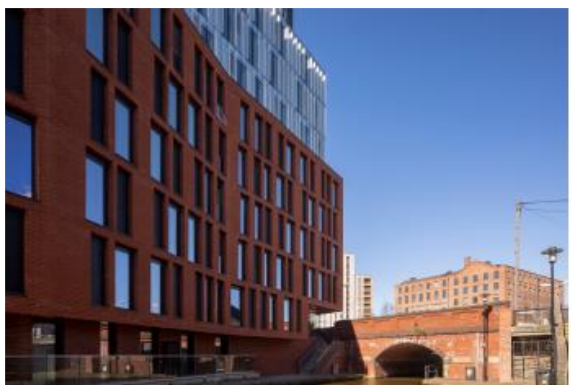
**Impact on Heritage Assets** – The tower would be highly visible but would be almost entirely concealed by the consented hotel at 67-75 Piccadilly and 4-6 Newton Street. Following the completion of the hotel it would only partially alter the settings or understanding or appreciation of the heritage assets within this view, and therefore the impact is considered to be Negligible Adverse



View P: Existing



View P: Proposed



View Pi: Existing



View Pi: Proposed

**Baseline** - The view is dominated by the Grade II\* listed Brownsfield Mill to the right, and the Astley and Oxid House to the left which have similar height, scale and mass. The heritage interests and setting of the Grade II\* listed Brownsfield Mill are well represented as the historic relationship with the canal can be understood. The view illustrates how altered the wider setting of the Grade II\* listed mill building is and that this contributes to the building's significance to a minor extent.

**Impact on Heritage Assets** - The proposal is in contrast to the lower historic scale, massing, materiality and articulation of the Grade II\* listed Brownsfield Mill and more recent developments immediately behind and would result in moderate-to-major visual change. The tower would compete and diminishes the predominance of the Grade II\* listed Brownsfield Mill, and the lower-level element of partially interrupts the

silhouette of Brownsfield Mill roofscape against the skyline. This would alter the understanding and appreciation of the setting of the Grade II\* listed Brownsfield Mill and the impact would be Minor-to-Moderate adverse.

**Baseline (Alternative View)** - The Grade II\* listed Brownsfield Mill is in the middle of the view above the Tariff Street bridge. Burlington House is on the left with the Astley beyond. The built forms corresponding to one another creating cohesion. The heritage interests and setting of the Grade II\* listed Brownsfield Mill are well represented as the historic relationship with the canal can be understood. The Mill is also standalone form in this view, with open sky above and on either side of it.

**Impact on Heritage Assets (Alternative View)** – The development would strengthen the sense of enclosure and create an active streetscape, which is currently missing in this area. The enhancement to the urban form of the lower-level would partially enhance the setting of the Grade II\* listed Brownsfield Mill building and would provide cohesion and balance to Great Ancoats Street.

The tower element would dominate the visual presence of the Grade II\* listed building and is at odds with the established surrounding height and scale of historic and modern developments. It reduces the sense of openness which is an important aspect of the two Grade II\* listed mills setting. The pulled-back nature of this viewpoint (when compared to the closer-range Viewpoint N submitted in the Heritage Statement, November 2021), allows for the full extent of the proposed height to be appreciated in the setting of the Grade II\* Brownsfield Mill, resulting in a greater level of impact. This would result in a moderate-to-major change which would impact the understanding and appreciation of the setting of the Grade II\* Brownsfield Mill and result in a Moderate Adverse impact.







View Q: Cumulative

**Baseline** - The view includes buildings between 4 and 8 storeys with regular windows whose materials vary. The scale of Griffin House and its grey cladding are dominant features. To the right are glimpses of the Grade II listed, Marlsboro House and the Grade II listed terraced houses on Hilton Street.

**Townscape Impact** -. The upper extent of the tower would be visible above buildings in the foreground and would change the view discernibly but would not project higher than existing roofscapes. The materials and design respond to other buildings and the effect would be Moderate Neutral.

**Impact on Heritage Assets** - The development appears in the distance above one of the low-rise 19th century buildings on Lever Street. It would be the most prominent skyline object causing a minor change. The impact would be mitigated as it would clearly be viewed from a distance and can be appreciated as an object that stands apart from and outside of the conservation area. The impact is Negligible - Minor Adverse.

The cumulative view shows the blue wireline of the Eider House development. The Eider House development appears further east on Lever Street in the distance. The degree of change caused by this cumulative development would be extremely Negligible and not change the impact.



View R: Existing View



View R: Proposed View

**Baseline** – The Arabesque building is in the foreground with the Grade II listed Wentwood beyond. The contemporary extension to the Wentwood building is also visible. Beyond this, there are The Astley and Oxid House. The 13-storey Nuovo visible.

**Impact on Townscape** -The tower would alter the view substantially but the materials and design would respond to its neighbours and have a Moderate Neutral effect.

**Impact on Heritage Assets** – The tower would cause a minor-moderate change. It would alter the context of the Grade II listed 72-76 Newton St and have a dominating presence of its the setting and in that of Marlsbro House and Former Newton Street Police Station (both Grade II listed). The magnitude of impact is Minor Adverse.

Mitigation of visual, townscape and heritage impacts has been incorporated as part of the has evolved through consultation with the Local Planning Authority, Historic England and Places Matter Design Review and is described in previous sections.

The development would cause a high level of visual change and cause of harm to the settings of heritage assets. There would be four instances of minor-moderate / moderate adverse impact (50-60 Port Street and 72 -76 Newton Street (Grade II Listed) (moderate adverse) and the Former Rochdale Canal Warehouse (minor adverse) and Brownsfield Mill (Avro) (Grade II\* Listed) (moderate adverse). The impacts on the Grade II\* Brownsfield Mill (Avro) would be most significant falling at the mid-point of the spectrum of harm envisaged by section 202 of the NPPF.

The harm to 50-62 Port Street is caused by the tower creating a visually intrusive new element in significant streetscape views in which they have remained the principal focus since their conception in the late 18th-to-mid 19th century.

The major change to the setting of Brownsfield Mill (Avro) need to be balanced against the fact that the site currently has an adverse impact on its setting and the landscaping works and pedestrian environments would benefit its setting. Historic England have confirmed that they concur with the impacts on Brownsfield Mill (Avro) as set out above.

This would be a large and significant development and transform the area. The removal of the vacant site would have a beneficial impact enhancing the setting of heritage assets. The impact of the height would not be unduly harmful and in many instances, the impacts on the local area and townscape would be positive. The architecture and materials would create of a distinctive development.

Some visual harm would occur where the development would clearly be seen in the same context as heritage assets. This mainly relates to the visual impact on the understanding and appreciation of the setting of Brownsfield Mill (Avro), the Former Rochdale Canal Warehouse (Jackson's Warehouse), 50-62 Port Street, The Wentworth (72-76 Newton Street) and the Ancoats and Stevenson Square Conservation Areas. However, when assessed as a whole, the proposals would not diminish the area's distinct character and appearance to anything beyond a minor degree. It is considered that any harm would be less than substantial and therefore needs to be considered against the relevant tests within the NPPF

**Consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets**

There are no World Heritage Sites nearby. Sections 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings and to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it. Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Of particular relevance to the consideration of this application are sections 189, 197, 199, 201 and 202.

The NPPF establishes a clear hierarchy of significance for heritage assets, derived from their designated status. The fundamental objective is to avoid compromising designated heritage assets, such that any potential 'harm' from a development must be balanced against the potential advantages of the public benefits that may outweigh any harm (sections **201-202**).

The NPPF (section 193) stresses that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly be justified.

Where a proposal would have an adverse impact on the historic environment the harm must be outweighed by the public benefits brought by the scheme (NPPF 202).

The impact of the proposal on the setting of listed buildings and the Ancoats and Stevenson Square Conservation Areas would be less than substantial. Section 120 requires this to be weighed against the public benefits including, where appropriate, securing its optimum viable use.

Paragraph 20 of the NPPF Planning Practice Guidance states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 127).

Whilst outlined in detail elsewhere in this report of the public benefits of the proposals would include enhancing the currently dilapidated character of the streetscape and introduce a sense of cohesion into the area which is currently defined by gap sites and a fragmented urban form.

Other key benefits would include:

- Improving the quality of the local environment through the improvements to the streetscape and provision of public realm;

- Putting a site, which overall has a negative effect on the townscape value, back into viable, active use;
- Establishing a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the City Centre;
- Optimising the potential of the Site to accommodate and sustain an appropriate mix of uses, providing a use which would complement and support the regeneration of the PSE and HS2 SRF Areas;
- Creating a safe and accessible environment with clearly defined areas and active public frontages to enhance the local quality of life;
- Contributing to sustained economic growth;
- Providing equal access arrangements for all into the building;
- Increasing activity at street level through the creation of an 'active' ground floor providing overlooking, natural surveillance and increasing feelings of security within the city centre.

The development would deliver extensive public benefits enhancing the public realm around the site and permeability around the area as a whole. The benefits of the proposal would outweigh the level of harm caused to the affected heritage assets, and are consistent with the paragraph 201 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

### **Architectural Quality**

The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures.

A single tower is proposed, offset from the road, with a lower perimeter block that would repair the streetscape tying the building into its existing context and creating a more human scale on Great Ancoats Street and Port Street. The podium would have a strong relationship with the Great Ancoats Street frontage. This would reduce the visual impact on nearby historic buildings, reduce overshadowing of neighbouring buildings, and improve the wind environment on streets around the building.

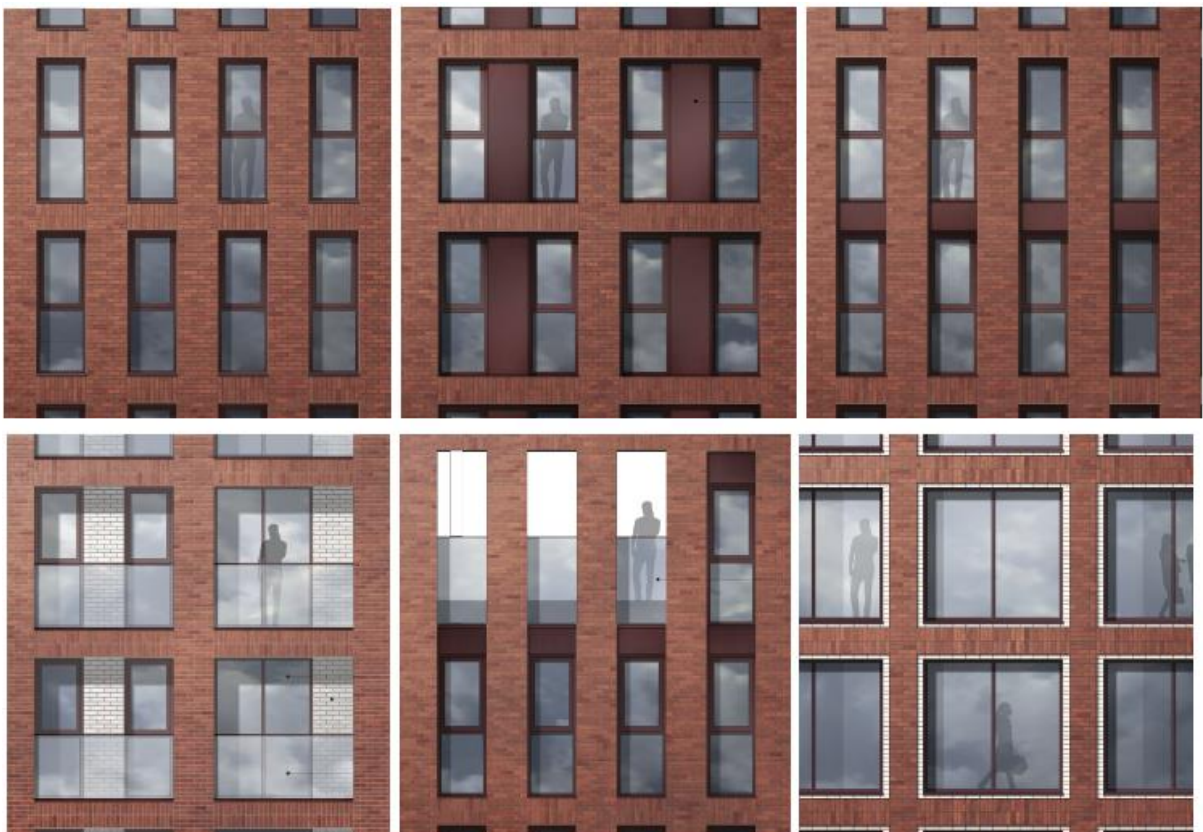
The public space would allow new connections through the area and to the canal when neighbouring development sites come forward.

The area contains different forms of architecture, with red/brown brick being the main material. These are mixed with more contemporary buildings in corten steel and metal cladding. Rigid grids of openings with stone lintels and metal frames predominate. The brick facades of the podium would have a positive relationship with existing buildings. The use of different materials for the Tower would ground the podium block into its immediate. Its materials would respond to the cityscape and complementing the podium materials.

The North and East elevations to the Tower would be composed as a vertical windows, solid panels and perforated ventilation panels, On the South and West Elevations projecting fins would add texture and shadow.



The rhythm of windows and brick piers on the podium would vary depending on aspect and context. The grid facing Port Street is tighter, as this is a narrower street. The grid facing Great Ancoats street is wider, to respond to its urban scale. The grid facing Browns Field Mill is more vertical, to complement the historic building proportions. Different bonding patterns would add further.



Balconies, Terraces and Loggia would be emphasized through a white/light cream brick, which is traditionally used in Victorian buildings for the back facades and courtyards.



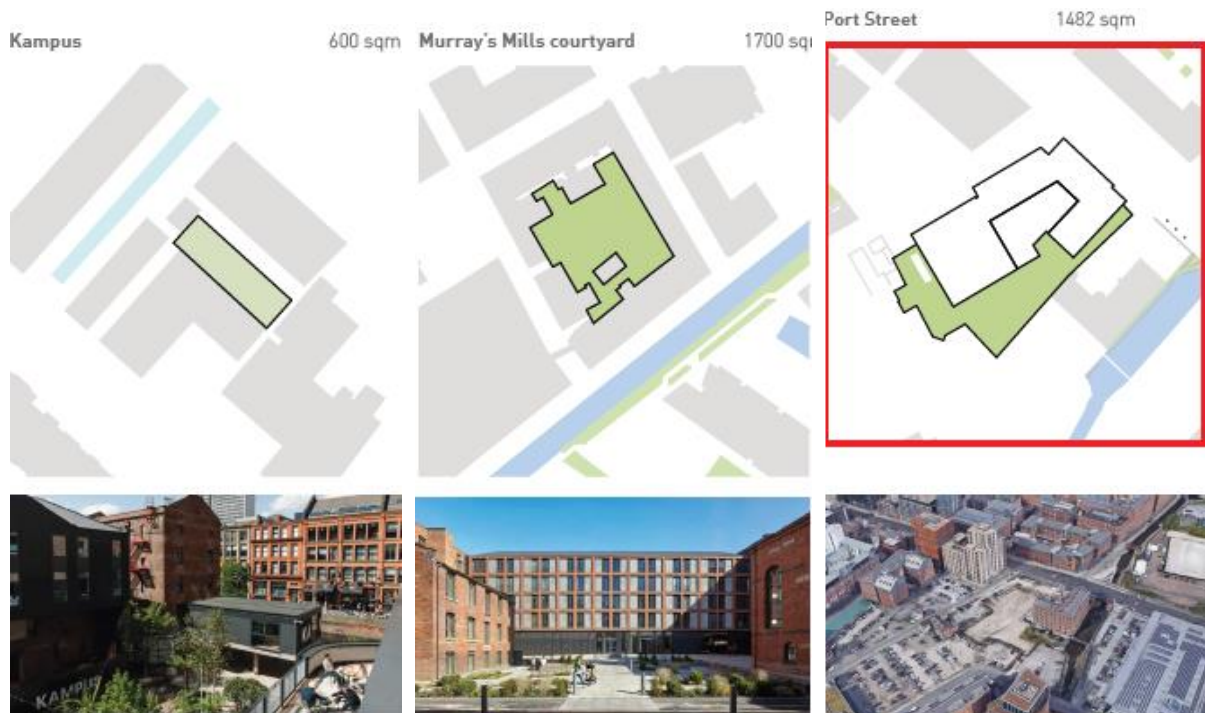
The layout and transparency of the ground floor glazing would maximise daylight and allow views into ground floor areas increasing passive surveillance and improving security whilst animating the street and would improve the streetscape.

**Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment (including Age Friendly Provision):**



**Proposed public realm layout**

The Core Strategy requires tall buildings to create an attractive, pedestrian friendly environment. Public space should provide shared outdoor amenities for residents, in a high quality, safe and accessible environment. This would secure the successful regeneration of the site and achieve the aspirations of the Piccadilly Basin and HS2 SRF and deliver placemaking objectives. The majority of the external space would have a southern aspect with direct sunlight throughout the day. The 1482 sqm public area would compare with 1700 at Murry's Mills and 600sqm at Kampus.



There would be hard and soft landscaping, including trees, which would improve biodiversity. 2 street trees would also be planted on Tariff Street. A natural play area for children would be provided. The public realm would encourage movement through Piccadilly Basin and future proof enhanced wider linkages. Level changes have been positively integrated into the site character and contribute to a sense of enclosure and comfort whilst ensuring DDA compliance to ensure that all users can effectively use the space without any difficulty.



Illustrative elevation F - Interface with Avro



Illustrative sectional elevation A - Wharf Gardens

Extensive tree planting would offer shade and reduce the effects of urban heat island and the permeable surfaces and native planting will contribute to a sustainable drainage strategy. Pedestrian routes would be clearly defined and well lit.

The scheme would function as a stand alone scheme and when connected to future sites. The pedestrian route would be gated and closed during night time hours due to ensure public safety pending future adjacent developments coming forward.

The design would promote health & wellbeing and be suitable for all including older people. The final details would be agreed by condition which would require Age Friendly Public Realm. The public realm would be managed and maintained by a professional residential property manager and this would be secured by a condition. CDN'S.

### **Credibility of the Design**

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the design, procurement and construction process. The design team recognises the high profile nature of the proposal and the design is appropriate. The information provided indicates that the design is technically credible. The design team is familiar with the issues associated with high quality development in city centre locations, with a track record and capability to deliver a project of the right quality.

The design includes: well considered detailing and materials; high quality materials and construction technology; spacious layouts with good quality natural light, ventilation and acoustics; and, active ground floors and welcoming entrances and communal spaces including external terraces and public realm at ground level which includes publicly accessibility

### **Relationship to Transport Infrastructure and cycle parking provision**

The site is close to all sustainable transport nodes including trains, trams and buses. The site has a Greater Manchester Accessibility Level (GMAL) of 8 indicating a very high level of accessibility. Residents would be able to walk to jobs and facilities.

There are bus stops on Great Ancoats Street, Lever Street and Oldham Street. Piccadilly Gardens bus interchange with access to Metrolink. The site is close to Piccadilly Station.

There would be a reduction of 53 parking spaces. 10 of the 47 parking bays would be suitable for use by disabled drivers. All spaces would be fitted with EV charging capability (for future demand driven upgrade) with 10 fitted with active provision.

There are 19 multi storey car parks within 600m of the site and leaseholds can be arranged for contract spaces. The nearest is a 20m and has spaces for disabled people. There are on-street parking bays on Port Street, Newton Street, Brewer Street, and Tariff Street where blue badge holders can park for free.

The nearest City Car Club bay is on Tariff Street. A Travel Plan would make residents aware of sustainable options. The Transport Statement concludes that the overall impact on the local transport network would be minimal.

The 485 secure cycle spaces is 100% provision. Drop off, servicing and loading would be from a new dedicated loading bay on Port Street .

The Site is close to confirmed Bee Network infrastructure such as the Manchester Northern and Eastern Gateway (connecting the neighbourhoods of Ancoats, New Islington, New Cross, New Town, Redbank and the Green Quarter), allowing future residents to benefit from better connectivity and quality of commute. The existing cycle route which will form part of the Bee Line Network is retained on Port Street.

### **Sustainability / Climate Change: Building Design and Performance (operational and embodied carbon)**

There is an economic, social and environmental imperative to improve the energy efficiency of buildings. Larger buildings should attain high standards of sustainability because of their high profile and impact. The energy strategy responds to the City's Climate Emergency declaration and has set out how the scheme contributes to Net Zero Carbon targets through operational and embodied carbon.

An Environmental Standards assessment of physical, environmental, social and , economic effects in relation to sustainability objectives sets out measures that could be incorporated across the lifecycle of the development to ensure high levels of performance and long-term viability and ensure compliance with planning policy. Energy use would be minimised through good design in line with the Energy Hierarchy to improve the efficiency of the fabric and use passive servicing methods.

#### Operational Carbon

The Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions. Part L has been superseded by Part L 2013 which has more stringent energy requirements. The 15% requirements translate as a 9% improvement over Part L 2013.

A combination of enhanced building fabric specification, significantly beyond the current regulatory compliance standard, allied to efficient mechanical and electrical systems and sophisticated controls would achieve compliance with the emission reduction targets stipulated by MCC's adopted planning policy, Building Regulation Part L (2013) and the proposal would exceed this target with an improvement of 9.12%. .

Photovoltaic (PV) panels were discounted as the limited roof area would not be efficient and the remaining area at the site is required for public/private realm provision. Using air source heat pumps for heating would conflict with the servicing strategy which gives each apartment individual metering. The performance indicators will improve over time as the grid continues to decarbonise.

The following efficiency measures would reduce heat losses and minimise energy demand. There would be high performance thermal insulation and thermally efficient windows and doors. Active building services would minimise direct energy consumption with increased hot Water Generating Efficiencies; Reduced Standing Losses from Pipes and Cylinders; Energy Efficient LED Lighting; Improved Lighting

Controls; Low Energy Motors in Pumps and Fans; Efficient Heat Recovery in relevant systems and Enhanced heating controls.

Building Location and Operation of Development (excluding direct CO<sub>2</sub> emission reduction) and Climate Change Adaptation and Mitigation

Features associated with the development which would contribute to achieving overall sustainability objectives include: A highly sustainable location and development of a brownfield site should reduce its impact on the environment; The homes will be designed to reduce mains/potable water consumption and include water efficient devices and equipment; Recycling facilities would divert material from landfill and reduce the carbon footprint further; SuDs features within the public realm would help to mitigate flood risk.

Embodied Carbon: Sustainable Construction Practices and Circular Economy

A net zero carbon built environment means addressing all construction, operation and demolition impacts to decarbonise the built environment value chain. Embodied carbon is a relatively new indicator and the availability of accurate data on the carbon cost of materials and systems is evolving.

To reduce the Whole life Embodied emissions, the emphasis is on minimising the use of energy intensive materials, using local suppliers where possible, reducing traffic and improving vehicle efficiency. Further consideration should be given to embodied carbon benchmarking relating to Circular Economy principles. This will be detailed further at the next design stage.

The proposal would make a positive contribution to the City's objectives and, subject to the ongoing decarbonisation of the grid is capable of becoming Net Zero Carbon in the medium to long term whilst achieving significant CO<sub>2</sub> reductions in the short term.

Conclusions of ES in relation to Climate Change

The impacts of the development in terms of the following have been assessed within the ES:

Whole Life Embodied emissions includes embodied carbon emissions related to materials and construction process throughout the lifespan of the building, including upfront emissions during constructions, construction transport, replacements/repairs during the operational phase and end-of-life.

The potential impacts and effects of the proposal were assessed under 3 categories:

Whole life embodied – Greenhouse gas (GHG) emissions (CO<sub>2</sub>e) associated with product stage (Raw material supply; Transport and Manufacturing), construction process stage (Transport and Construction Installation Process), use stage (Replacement and Refurbishment) and end of life stage (De-construction, Demolition, Transport, Waste processing and Disposal);

Operational building – Greenhouse gas (GHG) emissions (CO<sub>2</sub>e) associated with the energy used for heating, cooling, lighting and ventilation (operational phase);

Operational transport – Greenhouse gas (GHG) emissions (CO<sub>2</sub>e) associated with vehicles trips during the operational phase.

Mitigation would be incorporated in the construction stage through to the operational stage. To reduce the Whole life Embodied emissions, the emphasis would be on minimising the use of energy intensive materials, using local suppliers where possible, reducing traffic and improving vehicle efficiency.

During operation transport, mitigation is focused on active travel and encouraging the use of public transport through measures in the Travel Plan. Emphasis is given in EV charging infrastructure and putting measure in place to enable this to be increased.

To mitigate against operational energy emissions, the focus has been on improving the energy efficiency of buildings using a fabric first design approach and providing an all-electric development through the use of heat pumps.

The adoption of the embedded/additional mitigation measures would ensure that the GHG emissions would be reduced, giving a not-significant residual effect for the emission categories assessed.

It is estimated that the whole-life embodied carbon emissions of the proposal would comply with the RIBA 2025 Climate Challenge The annual energy consumption complies with the RIBA 2025 Climate Challenge target With mitigation for the operational phase, the residual impacts would be minor.

#### Effect on the Local Environment/ Amenity

This examines the impact that the scheme would have on nearby and adjoining occupiers and includes issues such as microclimate, daylight, sunlight and overshadowing, air quality, noise and vibration, construction, operations and TV reception.

Sunlight, daylight and overshadowing

#### **Construction**

Effects would vary throughout the demolition and construction phase and the effects would be less than the completed scheme.

#### **Operational Effects**

##### Daylight, Sunlight and Overshadowing

The nature of high density City Centre development means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in a manner appropriate to their context

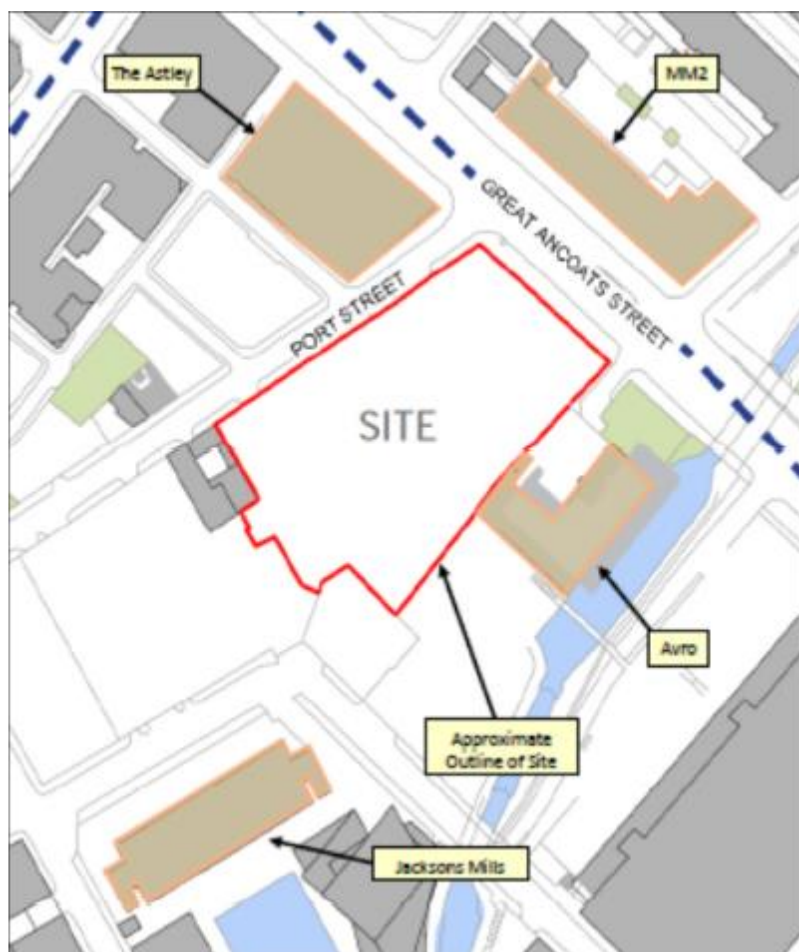
An assessment of daylight, sunlight and overshadowing has used specialist software to measure the amount of daylight and sunlight available to windows in neighbouring



buildings. The assessment made reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011).

This assessment is not mandatory but is generally accepted as the industry standard and helps local planning authorities consider these impacts. The guidance does not have 'set' targets and is intended to be interpreted flexibly, acknowledging that locational circumstances need to be taken into account, such as a site being within a town or city centre where higher density development is expected and obstruction of light to buildings can be inevitable.

The BRE Guidelines suggest that homes have the highest requirement for daylight and sunlight and states that the guidelines are intended for use for rooms where natural light is required, including living rooms, kitchens and bedrooms.



#### **Location of properties potentially impacted by loss of sunlight and daylight**

Properties at Jackson's Warehouse (Tariff Street), Brownsfield Mill (Avro) (Great Ancoats Street), The Astley (Great Ancoats Street), Burlington House (Tariff Street), Wentworth (Newton Street) and MM2 (Great Ancoats Street) are identified as being affected in terms of daylight and sunlight. Other homes have been scoped out due to their distance and orientation from the site.

It is noted that the latest planning permission available on the Council's website in relation to room layouts has informed the analysis results.

The Sunlight and Daylight Assessment has set out the current site condition VSC levels (including impacts from adjacent approved schemes) and how the proposal would perform against the BRE VSC targets.

### Daylight Impacts

The Guidelines provide methodologies for daylight assessment. The 2 tests (as set out in the Guidelines) relevant to a development of this nature are VSC (vertical sky component) and NSL (no sky line).

VSC considers how much Daylight can be received at the face of a window by measuring the percentage that is visible from its centre. The less sky that can be seen means less daylight is available. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27%.

The guidance also states that internal daylight distribution is also measured as VSC does not take into account window size. This measurement NSL (or DD) assesses how light is cast into a room by examining the parts of the room where there would be a direct sky view. Daylight may be adversely affected if, after the development, the area in a room which can receive direct skylight is reduced to less than 0.8 times its former value. Any reduction below this would be noticeable to the occupants. The NSL test assess daylight levels within a whole room rather than just that reaching an individual window and more accurately reflects daylight loss.

VSC diminishes rapidly as building heights increase relative to the distance of separation. As such, the adoption of the 'standard target values' is not the norm in a city centre and the BRE Guide recognises that different targets may be appropriate. It acknowledges that if a building stands close to a common boundary, a higher degree of obstruction may be unavoidable and is common in urban locations.

The Guidance acknowledges that in a City Centre, or an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

### Sunlight Impacts

For Sunlight, the BRE Guide should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. The BRE guide states that sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March; receives less than 0.8 times its former sunlight hours during either period; and, has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours (APSH).

A scheme would be considered to comply with the advice if the base line values and those proposed are within 0.8 times of each other as an occupier would not be able



to notice a reduction of this magnitude. The requirements for minimum levels of sunlight are only applicable to living areas.

### BRE Targets

The Guidance states that a reduction of VSC to a window of more than 20% or of NSL by 20% does not necessarily mean that the room would be left inadequately lit, but there is a greater chance that the reduction in daylight would be more apparent. Under the Guidance, a scheme would comply, if figures achieved are within 0.8 times of baseline figures. Similarly, winter targets of APSH of 4% and an annual APSH of 20% are considered to be acceptable levels of tolerance. For the purposes of the sensitivity analysis, these values are a measure against which a noticeable reduction in daylight and sunlight would be discernible and are referred to as the BRE Alternative Target. (BRE Target within the Environmental Statement). The impacts of the development in this context are set out below.

### Baseline

All impacts have been assessed against a baseline of the current site condition with any adjacent approved schemes taken into account. No consented schemes could be affected by the proposal and none have been included in the assessment (cumulative impacts).

### Daylight Impacts

With the development in place and the results weighted to allow for the 20% reduction which would not be noticeable, the impact would be:

Jackson's Warehouse -104/113 (91%) windows would meet the BRE VSC Alternative Target and 72/72 (100%) rooms would meet the BRE NSL Alternative Target

Brownsfield Mill (Avro Apartments) - 45/100 (45%) windows would meet the BRE VSC Alternative Target, and 14/39 (36%) rooms would meet the BRE NSL Alternative Target

The Astley – 53/149 (36%) windows would meet the BRE VSC Alternative Target and 64/99 (65%) rooms would meet the BRE NSL Alternative Target

Burlington House – 103/132 (78%) windows would meet the BRE VSC Alternative Target and 60/61 (98%) rooms would meet the BRE NSL Alternative Target

Wentworth Apartments – 114/189 (60%) windows would meet the BRE VSC Alternative Target and 138/144 (96%) rooms would meet the BRE NSL Alternative Target

MM2 Apartments -103/149 (69%) windows would meet the BRE VSC Alternative Target and 65/88 (74%) rooms would meet The BRE NSL Alternative Target

Jacksons Warehouse : There would be a major adverse impact on 4 of the 9 windows that do not meet the BRE Alternative Target. These windows receive very low baseline levels in the existing scenario ranging from 8.5% to 9.3% VSC against a target of 27 due principally to the existence of an external staircase which blocks light to these windows.

Brownsfield Mill (Avro Apartments): There would be a major adverse impact on 43 of the 55 windows and 19 of the 25 rooms that do not meet the BRE Alternative Target. 25 of these windows and 20 of these rooms are bedrooms, which are considered as having a lesser requirement for daylight by the BRE. The remaining 30 windows are to 10 living kitchen diners which have multiple windows. Where a room has more than one window of a similar size, the BRE Guide states that the mean VSC can be calculated. As such, whilst some windows may not meet the BRE Alternative Target, a room may overall, when the mean VSC is calculated. Of the 10 living kitchen diners with multiple windows, seven would meet this alternative average VSC target. 3 living kitchen diners do not meet the Alternative Target criteria for *NSL* daylight.

The Astley: There would be a major adverse impact on 58 of the 96 windows and 31 of the 35 rooms that do not meet the BRE Alternative Target. 32 of these windows and 20 of the rooms are bedrooms, which are considered as having a lesser requirement for daylight by the BRE.

The Astley has deep, single aspect rooms located on the boundary facing the site, a number of which are recessed beneath balconies. This places a high burden on this site to maintain existing sunlight and daylight levels.

Burlington House: There would be a major adverse impact on 1 of the 29 windows and all but 1 room would meet the BRE alternative target (minor adverse impact) 17 of the windows that do not meet the BRE alternative target criteria for VSC daylight, and the one room which does not meet the target criteria for *NSL* daylight, are bedrooms, which are considered as having a lesser requirement for daylight.

The remaining 12 windows relate to six living kitchen diners which have multiple windows and the room overall meets the target. Of these six, five rooms will meet the Alternative Target criteria for VSC daylight, meaning that only one of the living kitchen diners does not meet the Alternative BRE Target (*23.9% overall, against a target of 20%*)

Wentwood Apartments: There would be a major adverse impact on 4 of 75 windows. For the 6 rooms that do not meet the Alternative BRE target impacts are all minor adverse. These windows have low baseline daylight levels due to the location of balconies and a roof overhang creating shade. This means that relatively small changes in daylight levels represent large proportional changes.

MM2 Apartments: There would be a major adverse impact on 30 of 46 windows and 7 of 23 rooms do not meet the Alternative Target. 25 of these windows and 22 rooms are bedrooms, which are considered as having a lesser requirement for daylight.

### Sunlight Impacts

With the development in place and the results weighted to allow for the 20% reduction which would not be noticeable.

#### Jackson's Warehouse

All rooms would meet the Alternative Target for both annual and winter PSH.

#### Brownsfield Mill (Avro Apartments)

8/11 (73%) rooms meet the BRE Alternative Target for annual PSH. 2 would experience a major adverse impact. For winter PSH, all rooms meet the BRE Alternative Target.

The baseline levels for the rooms which do not meet the alternative target are very low, due to them being north facing which places a high burden on the proposal to maintain existing levels.

#### The Astley

34/47 (72%) rooms meet the Alternative Target criteria for annual PSH. Four experience a major adverse impact. For winter PSH, 12 experience a major adverse impact. As discussed above, the Astley contains several deep single aspect rooms on the boundary facing this site which places a high burden on the development site to maintain existing sunlight levels.

#### Burlington House

All rooms meet the Alternative target for both annual and winter PSH.

#### Wentworth Apartments

96/ 106 (91%) of rooms meet the Alternative Target for annual PSH. 6 rooms which do not meet the alternative target will experience major adverse impacts. For winter PSH, eight rooms experience major adverse impacts. With the proposal in place.

#### MM2 Apartments

54/64 (84%) rooms meet the Alternative Target for annual PSH. 8 experience major adverse impacts. For winter PSH, two rooms experience major adverse impacts. These rooms continue to receive 3% and 4% winter PSH, against a target of 5%, with the proposal built, which is considered to be acceptable given the city centre location and emerging height and density in the area.

The impact on the daylight and sunlight received by residents of Burlington House, Jackson's Warehouse, Brownsfield Mill (Avro), The Astley, Wentworth and MM2 are important. However, some impact is inevitable if the site is to be redeveloped to a scale appropriate to its city centre location.

It is acknowledged that some residents would experience major adverse impacts but as detailed above many of these rooms require less daylight (bedrooms/ bathrooms).

Overall, the impacts on daylight are considered to be minor adverse for residents in Jackson's Warehouse, Burlington House, and Wentworth Buildings.

Within Avro, The Astley and MM2 they would be moderate adverse. In Avro 5/39 of main habitable rooms would not meet the Alternative BRE Target, in The Astley 15/99 of main habitable rooms would not meet the Alternative BRE Target and in MM2 1/88 of main habitable rooms would not meet the Alternative BRE Target.

Impacts on sunlight are considered to be negligible for residents at Burlington House and Jackson's Warehouse. In Brownsfield Mill (Avro), Wentworth Buildings, The Astley and MM2 they are considered to be minor adverse.

However, these impacts need to be considered in the context of the following factors:

- Buildings that overlook the site have benefitted from conditions that are relatively unusual in a City Centre context;
- When purchasing or renting property close to a derelict plot of land, the likelihood is that, at some point in time it will be developed
- The city centre location, emerging height and density anticipated in the locality. There has been an SRF Framework in place across the Piccadilly Basin Area and since the 2016 version the site has been allocated as one where that could accommodate development at height greater than the surrounding context
- Several of the windows/rooms which do not meet the VSC or NSL daylight criteria are bedrooms, which are considered as having a lesser requirement for daylight;
- The impact on the majority of principal habitable rooms is limited, and only a small number of living kitchen diners (as detailed above) do not meet the VSC or NSL daylight criteria;
- Some buildings have existing low VSC levels which results in any change appearing in some cases disproportionately high;

It is considered that the above impacts are acceptable in a City Centre context.

#### Overshadowing and Privacy

An overshadowing study has been prepared in-line with BRE Guidance. The BRE guide addresses overshadowing to gardens and open spaces only. The VSC, NSL and APSH assessments detailed above assess the levels of daylight and sunlight to all affected windows and rooms within affected buildings around the site and are clearly and transparently presented in the submission.

The potential impact of overshadowing on the waterways has been considered. The waterways are located to the south/south east of the Site and, as such the proposal

could not overshadow it. An overshadowing assessment of the waterways has therefore been scoped out of the assessment.

The garden to Brownsfield Mill (Avro) is due south of the proposal and its sunlight would not be obstructed. There are no other amenity areas close to the site.

Analysis of the sun hours received in open spaces adjacent to the site demonstrates that all amenity areas meet the BRE target and would continue to receive sunlight to at least 50% of the area with the proposal in place.

A transient shadow study, illustrated at hourly intervals on 21 March as defined by the BRE Guidance as the appropriate basis for consideration observed that overshadowing impacts on neighbouring **properties OR SPACES???** are transient for relatively modest periods throughout the day, and that Cottonfield Park and the marina will only be overshadowed at the very end of the day, when the low sun casts long shadows before sunset.

Small separation distances are typical of an densely developed City Centre environment and any development of this site would lead to the level of potential overlooking that is typical within such an environment. It is considered that separation distances between buildings are acceptable

### Solar Glare

There are two types of glare: disability glare, which is a safety issue and has been scoped out as not applicable to this development; and discomfort glare, which includes solar reflections impacting adjacent buildings. Discomfort glare does not impair the ability to see. Whilst it can be important where work involves continuous viewing of the outdoor space from a fixed vantage point. This would be typical of the site's urban location and could occur with any redevelopment proposal that includes glazing. It can generally be managed by using blinds or curtains when it occurs. For these reasons, residential uses are classified as having low-sensitivity any impact on residential amenity is not expected to be significant and does not require assessment.

### Wind

Changes to wind can impact on how comfortable and safe the public realm is. If changes cannot be designed out, they should be minimised by mitigation. A Wind Microclimate report focused on the impact on people using the site and surrounding area. This has been modelled using high resolution Computational Fluid Dynamics which simulates the effect of wind and is an acceptable industry standard alternative to wind tunnel testing. This was combined with adjusted meteorological data from Manchester Airport to obtain annual and seasonal frequency and magnitude of wind speeds across the model. The potential impacts were modelled within a 400m radius of the site which is the UK industry standard. All of the scenarios reported in the ES chapter were 360deg full rotations, and gusts were accounted for using the standard gust-equivalent-mean method.

The assessment used the Lawson Comfort Criteria, which seek to define the reaction of an average pedestrian to wind. Trees and soft landscaping have not been included

in the model, to ensure that conditions represent a reasonable worst-case scenario. Consents within 400m radius of the site were included in the study

Potential impacts have been considered on: the Rochdale Canal towpath, as suitable for standing during the summer and leisure walking in the winter; amenity spaces at the site and within the site; Bus stops on Great Ancoats Street, ; and areas immediately outside any building entrances.. All are considered to be highly sensitive to strong winds, which can pose a risk to safety.

## Baseline

The baseline included tree planting in the public realm at ground level, in accordance with the submitted landscaping scheme and developments currently under construction within a 400m radius site (which is the UK industry standard for capturing local features which might be affected by the development).

The Assessment has considered mitigation from landscaping and a vertical screen on the eastern end of the tower.

Construction phase impacts would be negligible. Following completion of the development with the mitigation in place, conditions would be suitable for their intended use with the exception of the level 10 private terraces and level 7 public terrace where there would be moderate -minor adverse impacts which would require landscaping to ensure there are pockets of calmer conditions and that windier areas are not accessible. The final details of this can be secured by a condition.

Conditions for all entrances to Brownsfield Mill (Avro) would be suitable for standing or calmer, and conditions around the Mill are suitable for walking or calmer in all seasons and standing or calmer in summer.

Conditions for the residential garden to the back of the Mill would be suitable for sitting in all seasons, for all of the scenarios tested (existing baseline, proposed development in existing surrounds, proposed development in cumulative surrounds). All wind impacts on Brownsfield Mill would be negligible, and conditions will be suitable for their intended use.

## Cumulative Effects

The wind conditions have also been assessed with the introduction of the future approved developments within the surrounding area. With the above mitigation in place the impact would be negligible. No significant additional construction effects over and above those for the completed development are expected

## Air quality

An air quality assessment (AQA) has considered whether the proposal would change air quality during the construction and operational phases. The site is in an Air Quality Management Area (AQMA) where air quality is known to be poor as a result of surrounding roads. Roads which may be used for construction traffic and post

development are in the AQMA. Residents could experience poor air quality and vehicles travelling to and from the site could increase pollution in this sensitive area.

The site was previously developed and is close to homes. There are homes, businesses, schools and recreational areas which could be affected by construction traffic and that associated with the completed development.

The application assesses the potential effects during construction 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 2014. The assessment of the potential air quality impacts from the completed scheme has focused on the predicted impact of changes in ambient nitrogen dioxide (NO<sub>2</sub>) and particulate matter with an aerodynamic diameter of less than 10 µm (PM<sub>10</sub>) and less than 2.5 µm (PM<sub>2.5</sub>). Various scenarios were tested to assess both the construction and operational impacts on air quality including construction, when the earlier phase occupies and when the entire development is complete.

The main contributors to air quality would be from construction from dust, particulate matter and pollution concentrations generated on site, particularly from exhaust emissions from traffic, plant and earthworks. Nearby homes are likely to experience impacts from dust from construction. There would be emissions from construction traffic which would enter the site from Great Ancoats and Port Street. There are also likely to be cumulative impacts from other nearby developments which will be under construction at the same time.

Detailed dispersion modelling has determined whether the site is suitable for the proposal due to its roadside location within an AQMA.

Good on site practices would ensure dust and air quality impacts are not significant and should remain in place during the construction period and should be a condition.

Arrivals at and departures in operation may alter the use of the local road network.

Detailed atmospheric dispersion modelling has been undertaken for the first year of operation and its impact is considered to be 'negligible'. The premises would have air tight windows and mechanical ventilation.

The basement carpark would incorporate mechanical fans and can only make use of natural air intake. It is common for car park ventilation systems to 'exhaust' onto a podium or garden area positioned above the basement level with apartments located directly above.

The system is designed to automatically control environmental conditions to very low CO concentrations. Similarly, the system is demand driven, which effectively means that all fans will remain 'off' for long periods in the early mornings and mid-late evenings when not needed.

The energy strategy would be all electric. 485 cycle spaces are proposed. A travel plan would aim to reduce vehicle trips, traffic congestion, noise and air pollution, and

greenhouse gas emissions. All parking spaces would be either useable by electric vehicles or include the infrastructure to allow them to upgrade in response to demand. A mechanical ventilation system would provide fresh air to the homes.

The implementation of these measures would ensure that the residual effects would not be significant. Pollutant concentrations would be within the relevant health-based air quality objectives. Building users would be exposed to acceptable air quality and the site is suitable for the proposed use.

**Noise and Vibration** - A report concludes that internal noise levels would be acceptable subject to appropriate acoustic design and mitigation. The mitigation measures required for any externally mounted plant and ventilation should be a condition of any consent granted.

Delivery and service vehicles would be restricted to daytime hours to mitigate any impact on adjacent residential accommodation. During the operational phase the proposal would not produce noise levels or vibration that would be significant.

Disruption could arise during construction and residents at The Astley and Avro are susceptible to moderate to major effects. The applicant and their contractors would work and engage with the local authority and local communities to seek to mitigate these impacts and minimise disruption. A Construction Management Plan should be a condition and provide details of mitigation methods. Construction noise levels have been estimated based on worst case assumptions to be of moderate temporary adverse effect. Following mitigation construction noise is not likely to be significant.

The potential noise impact within the external areas would be negligible with mitigation in the form of noise management in place which would be controlled via a condition attached to any consent granted.

Cumulative impacts would be negligible with mitigation in place.

Telecommunications (TV and Radio reception and Broadband provision) –A desk based Baseline TV Reception Report notes that the proposal could affect TV transmissions in the surrounding area. It notes that low rise residential properties are mostly located over 1.9km away within the shadow zone where interference issues at this range are unlikely to have significant effect. The signal quality at this range is generally very good in the development shadow for the main multiplexes. Effects on signal strength are most likely at locations close to the proposal i.e. within 1km and in its shadow zone. This area is predominantly commercial and with tall buildings where some people may live. The signal quality in this range was moderate and interference may occur. However, if receiving aerials exist it is unlikely that they will be located below 10 metres effects may not be noticeable in practice.

It is recommended that any reported television or radio interference should be investigated by means of a post-construction reception measurement. Should there be any post construction impact a series of mitigation measures have been identified which could be controlled by a condition.



The location of the site is such that it is 'high speed' ready with the infrastructure is in place for the development to be connected into superfast broadband.

### **Conclusions in relation to CABE and English Heritage Guidance and Impacts on the Local Environment.**

On balance, it is considered that the applicant has demonstrated that the proposal would meet the requirements of the CABE and EH guidance as well as the Core Strategy policy on Tall Buildings.

Crime and Disorder - The increased footfall, additional residents and improved lighting would improve security and surveillance. Greater Manchester Police have provided a crime impact assessment and the scheme should achieve Secured by Design accreditation. A condition is recommended.

Archaeological issues - GMAAS believe that there could be below ground remains. The site should be subject to intrusive archaeological investigation in advance of development with an initial phase of evaluation trenching, followed, if necessary, by open-area excavation and recording. This should be targeted on the canal infrastructure. This investigation can be secured through a condition granted.

Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS) / Climate change adaptation and mitigation from Green Infrastructure -The site is currently primarily hardstanding with habitat loss restricted to a small area of dense scrub and some scattered early successional vegetation and contains no statutory nature conservation sites; the Site is within the Impact Risk Zone of the Rochdale Canal SSSI and Hollinwood Branch Canal SSSI.

Impacts on these sites are unlikely as there are no direct links. The habitats and plant species recorded at the site are widespread and common throughout the UK and Greater Manchester.

The Site provides a small area of low quality bat foraging habitat and is unlikely to be used by significant numbers of foraging bats. The loss of or disturbance to the vegetation due to increased public use and lighting is predicted to have a negligible impact on the conservation status of bats in the local area and Greater Manchester.

Two nearby buildings could have features capable of supporting roosting bats and the nearby Rochdale Canal likely acts as a commuting and foraging route for bats. The brick walls at the site are generally in good condition and any crevice features present are considered to be too low and too well-lit for use by roosting bats.

Some areas of dense scrub provide suitable nesting habitat for a range of common bird species. The site is in the Greater Manchester Black Redstart Priority Area 2008. The Site is also considered to have only very limited foraging potential for black redstart and, therefore, is unlikely to form a key part of the foraging habitat for any local populations of black redstart. No features suitable for nesting black redstart were present.

There are opportunities to maintain and enhance the biodiversity on the site, and improve connectivity to adjacent habitats by providing 'ecological stepping stones' to link to green/blue infrastructure. The proposal would include green infrastructure including tree cover. This could secure ecological enhancement for both flora and fauna. Measures to mitigate habitat loss and improve biodiversity are included in the Ecology Report.

The applicant has confirmed that the planting strategy incorporates a variety of trees that are both native and non-native, with species that flower and bear berries in spring and autumn. Ground cover planting incorporates a variety of flowering herbaceous perennials and shrubs. Additional measures such as bar and bird boxes will be secured by a condition. These measures and careful selection of planting varieties would therefore result in a net gain in Biodiversity.

Manchester Green & Blue Action Strategy highlights that Manchester needs to be a green city and a growing city. Urban greenery would be created at private resident's courtyard and terrace and public green space. The tree planting and soft landscaping would improve biodiversity and form corridors which enable natural migration. This would increase opportunities for habitat expansion leading to greater ecological value.

The inclusion of an ecologically sensitive lighting plan would aid excessive illumination of building roofs and the canal area during construction and operation. The impact during construction of noise and vibration on any roosting bats in buildings adjacent should be a condition.

The design of the public realm been aims to mitigate impacts on climate change as well as improving biodiversity. Soft landscaping can provide climate change benefits in its own right: carbon sequestration (CO2 offsetting) from the planting of new trees, a net 56 addition. planting and provision of public amenity space will support the Sustainable Drainage Systems (SuDS), by means of interception and transpiration. The increase of c.56 trees on the Site would increase shade within the local area and evapotranspiration from the trees and planting would also mitigate the urban heat island effect.

The Ecology report recommends that lighting should be sensitively designed to provide opportunities areas within the site for use by bats and moths.

Waste and Recycling - Each building would have a ground floor refuse store linked to the refuse chute. This would contain a colour coded tri-separator compaction machine to enable residents to recycle pre-sorted separate waste streams. The refuse store has been sized in line with 'GD 04 Waste Storage and Collection Guidance for New Developments based a twice weekly collection.

The bins would be taken out a short time before the agreed collection and returned shortly after. The waste would be collected by a private contractor twice a week. The applicant has demonstrated how additional capacity could be provided within the basement if the collection was to revert to Manchester City Council.

Flood Risk and Sustainable Urban Drainage Strategy (Suds) - The site is in Flood zone 1 and is low risk site for flooding. It is in the Core Critical Drainage Area in the Council Strategic Flood Risk Assessment and requires a 50% reduction in surface water run-off as part of brownfield development. The Rochdale Canal is 30m to the south east. The Canal and River Trust (CRT) confirmed that there are no records of the Rochdale Canal breaching in this area. However, they confirmed that there have been recorded events of overtopping of the section of the canal closest to site. The ground floor level of the development is set above the tow path level and it is unlikely that it would be affected by any overtopping. The Environment Agency Map of long-term flood risk from surface water indicates that there is a low risk of surface water flooding. The affected area would be developed and will either be part of the new roof area or ground floor courtyard. Both of these areas will be positively drained negating the risk of surface water flooding. The proposed levels on the Site suggest that runoff from some areas could pond adjacent to Brownsfield Mill. A gully would allow free drainage of this area, and measures to ensure that the neighbouring property is not affected will be included in the detailed design.

The is considered to be a greenfield site for drainage design. The proposed uses are appropriate and conditions should require the implementation and maintenance of a sustainable drainage system. It is proposed that SUDS would be managed through attenuation storage in ground tanks with a flow control device. Flow rates would be aligned with the betterment requirements for the SRFA. The underlying soil is predominantly clay with low levels of permeability which could prevent the use of Suds infiltration techniques, but this will be investigated further through a condition. The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with policy principles.

Contaminated Land Issues – A Phase 2 Ground Investigation has been prepared based on desktop / published sources and on site sampling. Contaminants have been identified and remediation measures would be a condition.

Disabled access – The design has sought to avoid discrimination regardless of disability, age or gender by, wherever possible. This covers the access to and within the building and public realm.

The homes could be adapted to meet the changing needs of occupants over time, including those of older and disabled people. All homes and amenity spaces would be accessed via large passenger lifts. All circulation routes would have sufficiently clear widths to facilitate ease of movement for all users including wheelchairs and pushchairs. 49 (10%) homes could be upgraded to M4(2) Category 2: Accessible and adaptable dwellings and all are designed to be Part M for visitors. The public realm would have a minimum 1:20 gradient along all formal routes.

On site 24 hour management would be located adjacent to the entrance with good visibility for security, deliveries, and can assist visitors and residents if required. Vehicular 'drop-off' points would be provided on Port Street. These are incorporated into the landscape design located near the entrances for each Building.

10 parking spaces are designated as disabled sized 4.8 x 3.6m and would be located within the basement.

Local Labour – A condition would require the Council's Work and Skills team to agree the detailed form of the Local Labour Agreement.

Airport Safeguarding - Given the scale of the development, the proposal has been considered with regards to any potential impacts on aerodrome safeguarding. Aerodrome safeguarding who have found no conflict with any safeguarding criteria.

Construction Management – Measures would be put in place to minimise the impact on local residents such as dust suppression, minimising 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 can be mitigated to be minimal.

Socio- Economic Impacts / Human Health - The development would create 601 full time equivalent jobs over the 2 build period plus jobs connected to additional supply chain expenditure. Total net GVA from the construction phase would generate around £28.5 million within the Manchester economy. A condition for a local labour agreement would ensure discussions can take place with the applicant to fully realise the benefits of the proposal. It is estimated that the construction phase could provide the opportunity for around 120 new trainee placements, over the construction period. An estimated 24 jobs would be supported on site on completion. This would create an estimated £1.12 million in GVA. These impacts would have a minor to moderate beneficial impact on the local economy.

Local expenditure would increase during the construction phase. On completion the site should accommodate up to 844 people. The expenditure by residents should have a positive economic impact and help to sustain the economic viability of local services and facilities. It is estimated that on completion the proposal would generate a net additional GVA of £1.12 million per annum in the Manchester economy and £0.88 million of Council Tax income per annum

No significant adverse socio-economic are expected during the Operational Phase and therefore no specific mitigation is required. Any additional mitigation required in relation to human health is dealt with elsewhere in this Report.

Cumulative Impacts would be minor at the Manchester level for the construction and operational phases.

#### Summary of Climate Change Mitigation / Biodiversity enhancement

Biodiversity and ecosystem services help us to adapt to and mitigate climate change and are a crucial part of our effort to combat climate change. Healthy ecosystems are more resilient to climate change and more able to maintain the supply of ecosystem services on which our prosperity and wellbeing depend. The underlying principle of green infrastructure is that the same area of land can offer multiple benefits if its ecosystems are healthy.

The external amenity spaces, green roofs and wider public realm should improve biodiversity and enhance wildlife habitats that could link to established wildlife

corridors between the Medlock Valley and the City Centre. The provision of bat boxes and bricks, bird boxes and final details of planting would be investigated through planning conditions.

Climate Change adaptation and mitigation and minimising embodied carbon have been central to the design development. Benchmarking of Embodied Carbon would inform the next stages of design and inform decisions about, building sub-structure, superstructure and façade and minimise construction waste.

As per the requirements of policy EN6 of the Core Strategy, developments must achieve a minimum 15% reduction in CO2 emissions (i.e. a 15% increase on Part L 2010). Since the Core Strategy was adopted, Part L 2010 has been superseded by Part L 2013 which has more stringent energy requirements. The 15% requirements translates as a 9.12 % improvement over Part L 2013.

The majority of journeys should be by public transport and active modes, supporting the climate change and clean air policy. The Framework Travel Plan (TP) sets out a package of measures to reduce the transport and traffic impacts, including promoting public transport, walking and cycling and would discourage single occupancy car use.

The proposals would include measures which could mitigate climate change for a development of this scale in this location. The proposal would have a good level of compliance with policies relation to CO2 reductions and biodiversity enhancement set out in the Core Strategy, the Zero Carbon Framework and the Climate Change and Low Emissions Plan and Green and Blue Infrastructure Strategy.

Social Value from the Development - The proposal would support the creation of a strong, vibrant and healthy community. In particular, the proposal would:

- Seek to maximise social interaction amongst residents;
- Would create a destination for the local community within the ground floor commercial units and public realm;
- Promote regeneration in other areas of the City Centre and beyond;
- Not harm the natural environment and reduce carbon emissions through design. The local labour agreement would provide job opportunities for local people.
- Help to reduce crime with increased passive surveillance from active ground floor uses and overlooking from residents;
- improve linkages between the City Centre and increase the attractiveness of routes linking to Ancoats and New Islington for pedestrians;
- Provide access to services and facilities via sustainable transport;

- Not result in any adverse impacts on air quality, flood risk, noise or pollution and there will not be any adverse contamination impacts;
- Would not have a detrimental impact on protected species;
- Would regenerate previously developed land with limited ecological value in a highly efficient manner; and
- The public realm will bring a new place for people to gather in which to relax, socialise and enjoy.

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 and suggested improvement made by the HSE and the design has been revised to address their comments. Fire Safety measures in relation to site layout, water supplies for fire fighting and access of fire appliances are addressed in the Fire Safety Report.

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 form the street scene.

#### Response to Councillor Comments

Based on the applicant providing a contribution of £1,000,000 the profit margin would be 14.18% on GDV. This is below the threshold suggested by the government in the PPG for viability assessments, with a suggested profit margin of between 15% and 20% on GDV. Were the scheme to provide 20% affordable housing on site this would results in a profit margin of 6.4% on GDV.

#### Response to Objectors Comments

The majority of the comments are dealt with above however the following additional points should be noted:

- An analysis demonstrated that the increase in height of the tower from 31 to 34 storeys (8.5m) (c.6%) had no material effect on heritage, TVIA or residential amenity (i.e. daylight and overshadowing). This is required to support viability, including the affordable housing contribution. Since submission the design of the tower has been amended to reduce its footprint and increase the slenderness of its proportions.
- Design options considered a lower massing that would have occupied a much larger proportion of the site. This would have reduced open space and would not deliver the “marker” building envisaged in the SRF. Other options included variations on the two tower solution envisaged in the SRF.
- The Site is in the Piccadilly Basin (2016) SRF and is not in the Ancoats and New Islington NDF area. The design and access statement and landscaping strategy have considered the proposal in its wider context, including the Ancoats Conservation and Regeneration Areas to the north.
- The Piccadilly Basin SRF area is not in a conservation area. Since the announcement of HS2 the area around the Station has been identified as a key opportunity for more dense forms of development. This anticipated level of growth is guided by the Manchester Piccadilly HS2 SRF (2018), including this site and the proximity of the land identified within the frameworks must take advantage of this. The area comprises strategically located brownfield land close the City Centre core with public transport nearby. This is true for the proposed site which is suitable for developments of the proposed scale.
- All views were selected using appropriate and up-to-date guidance. The study area was established at 250m, which is considered to be proportionate due to the dense city centre to the west. 3 additional views have been modelled and assessed and show the full height of the tower.
- The proposal would not be seen from the north-east end of Newton Street in the context of the elevation/setting of the Grade II Wentworth. As there would be no visual impact on The Wentworth, the view was not chosen.
- Rights of light are not a planning issue and there is no right to a view.
- The viability assessment has been independently assessed and verified and is robust and sound.
- The 400m radius of the site used for the Wind Study is the UK industry standard for capturing local features which might be affected by the development.
- It is expected that there will be a net reduction of 106 vehicle trips per day compared to the existing car park and car journeys would be reduced.



- Highways have confirmed that the proposal is unlikely to generate a significant increase in vehicular trips and they do not raise any network capacity concerns. The proposals have been reviewed by independent road safety audit and in relation to the loading bay/cycleway conflict issue raised by TfGM, no concerns were raised in the audit.
- The quality of materials reflects that of many recent city centre buildings. The contractor has a track record in delivering the highest quality.
- The proposal includes two commercial units on the lower levels, facing Great Ancoats Street and Port Street and could include retail, restaurant or similar uses providing amenity to residents and local community. There is a wide range of amenity nearby.
- There is no policy requirement for a development of this nature to demonstrate that the public benefits could only flow from this scheme.
- Whilst additional information was uploaded to the portal on 4<sup>th</sup> and 10<sup>th</sup> May this only related to updated landscaping plans and minor changes to the building footprint to reduce its bulk. Renotification requirements in relation to changes which are not made under Regulation 25 of the EIA Regulations (2017) are at the Local Planning Authorities discretion and given the minor nature of the changes and the amount of previous notification it was not considered necessary to carry out a 2<sup>nd</sup> renotification exercise.
- The form of future developments will not be known until any planning application is submitted and as such it is not possible to model cumulative impacts of unknown developments.
- There is no discrepancy between the Port Street plans and the GA Elevation SW plans and the trees shown are the extent that are deliverable given below ground services which have been investigated.
- The sunlight and daylight assessment has carried out in accordance with the BRE Guidance

### Legal Agreement

The proposal would be subject to a legal agreement under section 106 of the Planning Act to secure an initial contribution and appropriate reconciliation payment for offsite affordable housing through a further review at an agreed point with a mechanism to re-test the viability should there be a delay in the implementation of the proposal as explained in the paragraph with the heading 'Affordable Housing'

### **CONCLUSION**

Significant concerns have been raised by the local community about this development but those concerns have been fully addressed in this Report.

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. This is in an important site in the Piccadilly Basin and HS2 SRF Areas which is suitable for a high density development. The 485 homes proposed would contribute to housing supply in the City and population growth in the area. One, two and bedroom homes would be created with ancillary amenity spaces. The development would make a positive addition to the city skyline delivering a landmark development at an important junction which would define a key pedestrian route into the City Centre.

The removal of this long standing vacant site would be beneficial. The building would be of a high standard of sustainability. It would be energy efficient and operate on an all electric system offering the most suitable long terms solution to energy supply and carbon reductions. There would be a contribution to offsite affordable housing, a review of the viability at a later stage and significant public realm improvements which would promote pedestrian and cycle movements. Careful consideration has been given to the impact of the development on the local area (including residential properties, business, and recreational areas) and it has been demonstrated that there would be no unduly harmful impacts on noise, traffic generation, air quality, water management, wind, solar glare, contamination or loss of daylight and sunlight. Where harm does arise, it can be appropriately mitigated, and would not amount to a reason to refuse this planning application. The buildings and its facilities are fully accessible to all user groups. The waste can be managed and recycled in line with the waste hierarchy. Construction impacts can also be mitigated to minimise the effect on the local residents and businesses. There would be some localised impacts on adjacent listed buildings and conservation areas with the level of harm being considered less than substantial and outweighed by the substantial public benefits. 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 adjacent conservation area as required by virtue 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 189, 197, 199, 201 and 202. of the NPPF and that the harm is outweighed by the benefits of the development

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

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

of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation**      Minded to Approve subject to the signing of a section 106 agreement in relation to an initial off site affordable housing contribution, with a future review of the affordable housing position

### Article 35 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

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:

(a) Site Location Plans 10376-SHP-Z0-A-B5D8-G100-XP-XX-001 and 10376-SHP-Z0-A-B5D8-G100-XP-XX-002 and Site Wide Reference Plan 10376-SHP-Z0-A-B5D8-G100-PL-XX-001;

(b) 10376-SHP-Z0-A-B5D8-G200-PL-B1-001, 10376-SHP-Z0-A-B5D8-G200-PL-00-001, 10376-SHP-Z0-A-B5D8-G200-PL-TY-001, 10376-SHP-Z0-A-B5D8-G200-PL-07-001, 10376-SHP-Z0-A-B5D8-G200-PL-08-001, 10376-SHP-Z0-A-B5D8-G200-PL-09-001, 10376-SHP-Z0-A-B5D8-G200-PL-10-001, 10376-SHP-Z0-A-B5D8-G200-PL-TY-002, 10376-SHP-Z0-A-B5D8-G200-PL-31-001, 10376-SHP-Z0-A-B5D8-G200-PL-TY-003, 10376-SHP-Z0-A-B5D8-G200-PL-RF-001, 10376-SHP-Z0-A-B5D8-G200-PL-RF-002, 10376-SHP-Z0-A-B5D8-G200-EL-EE-001, 10376-SHP-Z0-A-B5D8-G200-EL-EN-001, 10376-SHP-Z0-A-B5D8-G200-EL-ES-001, 10376-SHP-Z0-A-B5D8-G200-EL-EW-001, 10376-SHP-Z0-A-B5D8-G200-SE-AA-001, 10376-SHP-Z0-A-B5D8-G200-SE-BB-001, 10376-SHP-Z0-A-B5D8-G200-SE-CC-001, 10376-SHP-Z0-A-B5D8-G200-SE-DD-001, 10376-SHP-Z0-A-B5D8-G200-SE-EE-001, 10376-SHP-Z0-A-B5D8-G251-DE-XX-001, 10376-SHP-Z0-A-B5D8-G251-DE-XX-002, 10376-SHP-Z0-A-B5D8-G251-DE-XX-003, 10376-SHP-Z0-A-B5D8-G251-DE-XX-004, 10376-SHP-Z0-A-B5D8-G251-DE-XX-005, 10376-SHP-Z0-A-B5D8-G251-DE-XX-006, 10376-SHP-Z0-A-B5D8-G251-DE-XX-007, 10376-SHP-Z0-A-B5D8-G251-DE-XX-008, 10376-SHP-Z0-A-B5D8-G251-DE-XX-009, 10376-SHP-Z0-A-B5D8-G251-DE-XX-010 and 10376-SHP-Z0-A-B5D8-G251-DE-XX-011

(c) Port Street, Manchester Landscape Strategy by Reform stamped as received on 13-12-21 as amended by the Landscape Strategy 0894-RFM-XX-ZZ-RP-L-0001-S2 P04 stamped as received on 10-05-22;

(d) Port Street, Manchester, Waste Management Strategy, by Curtins Ref: 79165-CUR-00-XX-RP-TP-003 Revision: V02, Dated: 12 November 2021 stamped as received on 13-12-21 (on the basis of twice weekly collections subject to condition 3) and Dwg 10376-SHP-Z0-A-G100-SK-B1-002 Rev PO1 (condition 3);

(e) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Statement Version B 04/02/2022 stamped as received on 04-02-22;

(f) Accommodation Schedule within Section 6.5 of Design and Access Statement 13-12-2021 by simpsonhaugh stamped as received on 13-12-21;

(g) Section 8 of the Design and Access Statement 13-12-2021 by simpsonhaugh stamped as received on 13-12-21;

(h) Archaeological Desk-Based Assessment Port Street, Ancoats, Manchester Client: Manchester (Port Street) Ltd, Technical Report: Natalie Poundall Report No: 2021/66 by University of Salford, stamped as received on 13-12-22;

(i) Inclusions of measures and targets set out in Affinity Living, Port Street, Manchester Energy Statement by Futureserv dated November 2021 and AFFINITY LIVING, PORT STREET, Sustainability Statement by WSP dated December 2021 and ES Climate Change Chapter (6) all stamped as received on 13-12-21;

(j) Broadband Connectivity Assessment, Port Street, Sept 2021 by Pager Power stamped as received on 13-12-21;

(k) Fire Statement - FS 001.1, Project: Port Street, Ancoats, Subject: Fire Statement Date: 23 November 2021 stamped as received on 13-12-21 as amended by Deloitte's MCC Consultations Responses Table 31-03-22 and e-mail Response to HSE dated 11-05-22;

(l) Port Street, Manchester, Manchester (Port Street), Limited, AIR QUALITY ASSESSMENT, REVISION 01 - 12 NOVEMBER 2021 by Hoare Lee stamped as received on 13-12-21;

(m) FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY REPORT 84548-PORT-WSP-RP-FRA-001 by WSP November 2021 stamped as received on 13-12-21;

(n) Television Baseline Survey Report, Port Street, Manchester (Port Street) Ltd, November 2021 by Pager Power, stamped as received on 13-12-21;

(o) MANCHESTER (PORT STREET) LTD, PORT STREET, MANCHESTER CITY CENTRE, EXTENDED PHASE 1 HABITAT SURVEY by Penny Anderson Associates May 2021;

(p) Affinity Living, Port Street, Manchester, Ventilation Statement by Futureserve dated November 2021 stamped as received on 13-12-21;

(q) PORT STREET, MANCHESTER Interpretative Ground Investigation Report by WSP REF. NO. 70084785-WSP-GEO-IGR-001

DATE: NOVEMBER 2021 stamped as received on 13-12-21;

(r) Port Street, Manchester, Transport Statement by Curtins Ref: 79165-CUR-00-XX-RP-TP-001, Revision: V01 Issue Date: 12 November 2021 and Port Street, Manchester, Interim Travel Plan, by Curtins Ref: 79165-CUR-00-XX-RP-TP-002, Revision: V02 Issue Date: 12 November 2021 both stamped as received on 13-12-21 and Port Street, Manchester, Stage 1 Road Safety Audit, Response Report, by Curtins Ref: 079165-CUR-XX-XX-RP-TP-005, Revision: P01 Dated: 26 April 2022, Dwg 79165-CUR-00-XX-DR-TP-75001 P09 Access Arrangements and PORT STREET, MANCHESTER Stage 1 Road Safety Audit April 2022 AJ-PF-22-3708-RSA1 all stamped as received on 04-05-22 and Deloitte's e-mail 09-05-22 in relation to the cycle lane;

(s) Heritage Statement Manchester (Port Street) Ltd November 2021 by Stephen Levrant Heritage Architecture Ltd stamped as received on the 13-12-21 and Addendum April 2022 stamped as received on 14-04-22;

(t) Port Street Manchester Environmental Noise Study December 2021 Report Reference: PR0665-REP01A-MPF by Fisher Acoustics , stamped as received on 13-12-21;

(u) ES Volume 1 Main Text:

Chapter 1 Introduction  
 Chapter 2 Environmental Impact Assessment Methodology  
 Chapter 3 Alternatives and Design Evolution  
 Chapter 4 Site, Surroundings and Description of Proposals  
 Chapter 5 Construction Management and Phasing  
 Chapter 6 Climate Change  
 Chapter 7 Daylight, Sunlight and Overshadowing  
 Chapter 8 Heritage  
 Chapter 9 Human Health  
 Chapter 10 Noise and Vibration  
 Chapter 11 Socio Economic Impact  
 Chapter 12 Townscape and Visual Impact  
 Chapter 13 Wind Microclimate  
 Chapter 14. Summary of Residual Impacts  
 Chapter 15. Type 1 Cumulative Impacts

(v) ES Volume 2 List of Appendices

Chapter 2: Environmental Impact Assessment Methodology  
 Appendix 2.1 - ES Scoping Report  
 Appenidx 2.2 - Committed Developments  
 Appendix 2.3 - ES Scoping Opinion

Chapter 7: Daylight, Sunlight and Overshadowing

Appendix 7.1 - Drawings of the Baseline and Proposed Scenario;

Appendix 7.2 - Daylight and Sunlight Results for Baseline v Proposed;

Appendix 7.3 - Drawings of the Piccadilly Basin Strategic Regeneration Framework massing; and

Appendix 7.4 - Daylight and Sunlight results for the Piccadilly Basin Strategic Regeneration Framework massing.

Chapter 8: Heritage

Appendix 8.1 - Heritage Statement

Chapter 10: Noise

Appendix 10.1 - Acoustic Report

Chapter 11: Socio-Economic

Appendix 11.1 - Socio-economic baseline assessment

Appendix 11.2 - Socio-economic Recpetor Plan

Chapter 12: Townscape and Visual Impact

Appendix 12.1 - Figures

Appendix 12.2 - TVA Assessment Methodology

Appendix 12.3 - Methodology for producing views and photomontages

Appendix 12.4 - Committed Developments

Appendix 12.5 - Accurate Visual Representations

Chapter 13: Wind Microclimate

Appendix 13.1 - Wind Microclimate Detailed Methodology

(w) ES Volume 3 -Non Technical Summary

all stamped as received on 13-12-21;

(x) ES Addendum

Addendum report, Town and Visual Impact Assessment, prepared by Reform

Addendum report, Heritage, prepared by Stephen Levrant Heritage Architecture

ES Figures

all stamped as received on 14 04 22; and

(y) Points on EV Charging provision set out in Deloitte's Response to Consultation comments Document May 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16,

EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC19.1, DC20 and DC26.1.

3) Facilities for the storage and disposal of waste shall be provided in accordance with Port Street, Manchester, Waste Management Strategy, by Curtins Ref: 79165-CUR-00-XX-RP-TP-003 Revision: V02, Dated: 12 November 2021 stamped as received on 13-12-21

The waste management strategy shall include provision for a twice weekly refuse collection to be undertaken by a private waste collector only. It shall be implemented in full and shall remain in situ whilst the development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

4) (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:

\*hand sized samples and specifications of all materials to be used on all external elevations;

\*drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and

\*a programme for the production of the full sized sample panels a strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

( b) Prior to above ground development submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle;

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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.



5) Prior to occupation of the development a servicing strategy for the building, shall be submitted to and approved in writing by the local planning authority.

Servicing shall be carried out in accordance with the approved strategy plan.

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

6) Notwithstanding the documents detailed in condition 2:

a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

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

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

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

7) No development shall take place until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority

The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- \*Display of an emergency 24 hour contact number;
- \*Method of preventing mud being carried onto the highway;
- \*Dust suppression Methodology;
- \*Compound locations where relevant;
- \* Highway Dilapidation survey;
- \*Details of any necessary temporary traffic management measures;
- \*Location, removal and recycling of waste and loading/unloading and storage of plant, waste and construction materials;
- \*Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- \*Routes for construction traffic including swept path analysis;
- \*A method statement to protect the Rochdale Canal from accidental spillages, dust and debris in consultation with the Canal and Rivers Trust
- \*Parking of construction vehicles and staff;
- \*Sheeting over of construction vehicles;
- \*Measures to protect vulnerable road users (cyclists and pedestrians); and
- \*Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- \*A plan showing the areas of storage of plant, fuel/chemicals and materials used in constructing the development;
- \* steps to be taken to prevent the discharge of silt-laden run-off, construction site drainage, materials or dust or any accidental spillages entering the waterway;
- \*details of the environmental pollution incident emergency response;
- \* measures to locate, clear, remediate and permanently seal any existing drains or culverts within the application site that may discharge to the canal

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, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

8) 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:
  - archaeological evaluation trenching;
  - pending the results of the above, an open-area excavation (subject to a revised WSI).
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.
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 Section16, paragraph 205: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.

9) Prior to the commencement of development a programme for submission of final details of the public realm works and highway works as shown in the Port Street, Manchester Landscape Strategy by Reform stamped as received on 13-12-21 as amended by the Landscape Strategy 0894-RFM-XX-ZZ-RP-L-0001-S2 P04 stamped as received on 10-05-22

shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted.

For the avoidance of doubt the development should be delivered in accordance with the approved programme and should not be occupied unless or until the public realm works are completed.

(a) Details of hours during which the terrace at 7th floor level will be open to residents and the mechanisms which would prevent use outside of those hours;

(b) Details of (a) all hard (to include use of natural stone or other high quality materials) and (b) all soft landscaping works (excluding tree planting) which demonstrably fully consider and promote inclusive access (including older and disabled people);

(c) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include, the choice of planting species within the public realm, where detailed design allows bat boxes and brick, bird boxes and areas of sensitively designed lighting provide opportunities areas within the site for use by bats and moths to include input from a qualified ecologist and which demonstrates Biodiversity Net gain across the site;

(d) Details of the proposed tree species within the public realm including proposed size, species and planting specification including tree pits and design and details of on going maintenance;

(e) Details of how surface water from the public realm would be managed within the public realm through Suds interventions such as infiltration, swales, soakways, rain gardens and permeable surfaces;

(f) Location and design of all street furniture including seating, lighting, bins, handrails, recycling bins, temporary gates, boundary treatments, planters all to include features which fully consider and promote inclusive access (which includes older and disabled people);

(g) Details of natural play equipment provision;

(h) Lighting around and within the site (which includes for consideration of older and disabled people) and any biodiversity features installed for bats); ;

(i) Details of a wayfinding strategy to include signage (including for directing cyclists to nearby cycle routes) and any other appropriate methods to ensure the legibility of linkages with Piccadilly Station, the Metrolink and other adjacent Neighbourhoods (which includes consideration of older and disabled people);

(j) A management and maintenance strategy for the public realm including hours during which these areas would be open to non residents, how access to these areas would be managed in the longer term including triggers for removal of the gated access (based on future development plots being delivered) and who would be responsible for the day to day management and maintenance of these areas including ensuring ongoing maintenance of provision of access for disabled people; and

(k) Details of how the design has minimised any potential hazards to the use of the public realm for the safe use of disabled people to include details of: designated routes for pedestrians; cyclists and vehicles; management of cyclists ; kerb edges; location of rumble strips; location of raised crossings; design and location of any pop up power supplies; provision of clear routes to ensure unrestricted access for all; and

The detailed scheme shall demonstrate adherence to the relevant sections of DFA2 and MCC-recommended guidance in relation to Age Friendly Public Realm including Age-Friendly Seating and Sense of Place and the Alternative Age-Friendly Handbook.

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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 a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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 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.

10) Notwithstanding the details as set out within condition 2 no development shall take place until surface water drainage works have been submitted to and approved in writing by the Local Planning Authority in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.

\*Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable. This shall include consideration of integrating the drainage strategy with the green landscaping design. Assessment demonstrating maximised integration of green SuDS components is required in-line with Manchester City Council's Climate Change Action Plan 2020-25.

\*Details of surface water attenuation that offers a reduction in surface water runoff rate to greenfield runoff rates;

\*An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.

\*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. This shall include surcharged outfall considerations where applicable.

\*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

\*Hydraulic calculation of the proposed drainage system;

\*Construction details of flow control and SuDS elements.

For sites where proposed development would cause unusual pollution risk to surface water (large car park areas (>50 parking spaces) or industrial estates), evidence of pollution control measures (preferably through SuDS) is required.

Where an application is part of a larger site which already has planning permission it is essential that the new proposal does not compromise the drainage scheme already approved

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

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

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

12) The development hereby approved shall be carried out in accordance with the targets set out within the Affinity Living, Port Street, Manchester Energy Statement by Futureserv dated November 2021, and AFFINITY LIVING, PORT STREET, Sustainability Statement by WSP dated December 2021, and, ES Climate Change Chapter (6), all stamped as received on 13-12-21. A post construction statement shall be submitted within 12 months of occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

13) Prior to above ground works, a feasibility study considering the measures detailed in tables 6.22 and 6.23 contained within the ES Climate Change Chapter (6), will be submitted for approval to the local authority. A post construction statement shall be submitted within 12 months of occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework

14) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given 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

To ensure a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17.

15) Prior to occupation of

(a) The residential accommodation; and

(b) The ground floor commercial units

a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location 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 equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

16) Notwithstanding the recommendations within the Port Street Manchester Environmental Noise Study December 2021 Report Reference: PR0665-REP01A-MPF by Fisher Acoustics, stamped as received on 13-12-21, before the facade is installed details of the following shall be submitted:

(a) a scheme for acoustically insulating and mechanically ventilating the residential accommodation against local road traffic network, any local commercial/industrial premises including the specification for service risers /lift shafts; details of the MVHR system (plan, intake/extract points, silencers, operational noise levels) and details of the performance of the glazing.



The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

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

The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB L <sub>Amax,F</sub> by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq

(b) Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation (within at least 10% of the apartments) shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

17) Notwithstanding the recommendation within Port Street Manchester Environmental Noise Study December 2021 Report Reference: PR0665-REP01A-MPF by Fisher Acoustics, stamped as received on 13-12-21 before the operation of each ground floor commercial unit commences a scheme for acoustically insulating each unit to ensure that there is no unacceptable level of noise transfer from these units to the residential accommodation above or any unacceptable noise break out shall be submitted to and approved in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

The approved noise insulation scheme shall be completed before any of the approved uses commence.

Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

18) Before any use of each ground floor commercial uses hereby approved commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

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.

19) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within each ground floor commercial unit shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy of each unit and shall remain in situ whilst the use or development is in operation.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (withdrawn but still available via an internet search). It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B) or other relevant guidance or documents which supersede this guidance. Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

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

20) (a) The ground floor commercial units shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse for each unit has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

21) Notwithstanding the Television Baseline Survey Report, Port Street, Manchester (Port Street) Ltd, November 2021 by Pager Power, stamped as received on 13-12-21; if following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference

complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development, hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. No action shall be required in relation to television interference complaints after the date 12 months from the completion of development.

Reason - To ensure terrestrial television services are maintained In the interest of residential amenity, as specified in Core Strategy Policies DM1 and SP1

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

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

- i) the measures proposed to recruit local people including apprenticeships
  - ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
  - iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives
- (b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

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

23) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

24) Prior to implementation of any proposed lighting scheme details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

25) Prior to the first use of the development hereby approved, a detailed Residential Management Strategy including:

Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal), parking of maintenance vehicles, noise management of communal areas shall be submitted to and agreed in writing by the City Council as Local Planning Authority.

shall be submitted to and agreed in writing by the City Council as Local Planning Authority.

The approved management plan shall be implemented from the first occupation of the residential element and be retained in place for as long as the development remains in use.

Reason - In the interests of residential amenity, the promotion of a sustainable and inclusive community within the development, 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.

26) The development hereby approved shall be carried out in accordance with the Port Street, Manchester, Interim Travel Plan, by Curtins Ref: 79165-CUR-00-XX-RP-TP-002, Revision: V02 Issue Date: 12 November 2021

In this condition a travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development;
- ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) 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;
- vi) measures to identify and promote walking routes connecting Victoria Station, the Metrolink, the City Centre and areas towards the Victoria North and Great Ducie Street ;
- vii) details of cycle parking within the public realm

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as

local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and 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 SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

27) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday  
10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

28) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for 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 - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

29) 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.

30) 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.

31) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas of public realm during the hours that it is open to the general public 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

32) The window(s) at ground level, fronting onto Port Street, Great Ancoats Street and facing the public realm 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.

33) If any external 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

34) Notwithstanding the details contained within condition 2 above prior to the first occupation of the residential element, a scheme of highway works and footpaths reinstatement/public realm for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- (a) Details of the loading bay/ taxi drop off
- (b) loading bay/cycle lane arrangements
- (c) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management including installing dropped kerbs with tactile pavers across any vehicle access to the site and at adjacent junction crossing points, reinstatement of any redundant vehicle crossing points; and
- (d) Amendments to the existing TROs and bus stop locations / routes;

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

35) The development shall be carried out in accordance with the Crime Impact Statement Version B: 25th November 2021; The development shall only be carried out in accordance with these approved details and within 12 months of completion, the applicant will confirm in writing to the Council as local planning authority that the development has achieved Secure 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

36) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the 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.

37) In the event that any of the commercial units, as indicated on drawing 10376-SHP-Z0-A-B5D8-G200-PL-00-001 P02 are occupied as a restaurant (Class E) or Drinking Establishment (Sui Generis) use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

A Management Strategy for patrons and control of any external areas. For the avoidance of doubt this shall include:



\*An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

\*Details of a Dispersal Procedure

\* Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

38) No doors (other than those designated as fire exits and ground floor bin store shown on plan 10376-SHP-Z0-A-B5D8-G200-PL-00-01) shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

39) 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).

40) Prior to the first occupation of the residential element the 485 cycle parking spaces shall be fully implemented as shown in dwg 10376-SHP-Z0-A-B5D8-G200-PL-B1-001 P02

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).

41) In relation to relation to site layout, water supplies for firefighting purposes and access for fire appliances, the development shall be implemented in accordance with the Fire Safety Measures set out in the Fire Statement - FS 001.1, Project: Port Street, Ancoats, Subject: Fire Statement Date: 23 November 2021 stamped as received on 13-12-21 as amended by Deloitte's MCC Consultations Responses Table 31-03-22 and e-mail Response to HSE dated 11-05-22 (subject to Buildings Regulations and other required safety sign off);

Reason

To ensure a satisfactory development pursuant to Policy DM1 of the Core Strategy and in accordance with the Fire safety and high-rise residential buildings Guidance August 2021.

42) Before development commences final details of the wind mitigation to the level 7 terraces and public realm shown in dwgs 10376-SHP-Z0-A-B5D8-G200-PL-07-001 Rev PO2 and Landscape Strategy 0894-RFM-XX-ZZ-RP-L-0001-S2 P04 and confirmation from a suitably qualified Wind Consultant that this would be adequate shall be submitted to and approved in writing. The approved scheme shall be implemented prior to any use of the terrace commencing and thereafter retained and maintained in situ.

Reason - In the interest of creating a suitable and safe environment for residents and in the interests of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

### **Informatives**

1) The applicant is advised that part of the application site is located within land that may be required to construct and/or operate Phase 2b of a high-speed rail line from Crewe to Manchester, known as High Speed Two. Powers to construct and operate High Speed Two are to be sought by promoting a hybrid Bill in Parliament in early 2022 and as a result the site may be compulsorily purchased. In addition, as the HS2 project is not yet at a detailed design stage the applicant is advised to closely follow ongoing progress of the HS2 programme. More information can be found at: <https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.hs2.org.uk%2Fin-your-area%2Flocal-community-webpages%2Fwestern-leg%2F.%25E2%2580%259D&data=04%7C01%7Cplanning%40manchester.gov.uk%7Cc84dd8115d0a403479ac08d9d1220ab3%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C1%7C637770766410629262%7CUnknown%7CTWFPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&sdata=teGsvEqwOMBxfkXnsEtMRYplhsV9EJ5hztRRrMDZ0UM%3D&reserved=0>

2) 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

3) As the proposal involves development over 11m in height (or alterations to increase the height of a building above 11m), developers are required to notify the Greater Manchester Fire & Rescue Service of the commencement of development via email to [construction-started@manchesterfire.gov.uk](mailto:construction-started@manchesterfire.gov.uk)

4) Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works

must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact [highways.structures@manchester.gov.uk](mailto:highways.structures@manchester.gov.uk).

5) Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially effect your permission.

6) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

7) All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement to be funded by the applicant

8) For this development proposals for good practice principles for both the design and operational phases are recommended. Reference should be made to IAQM/EPUK guidance: <http://iaqm.co.uk/guidance>

9) The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Cranenotification/>

10) Generator: The routine maintenance and servicing of the now proposed internal emergency generator shall be confined to Monday to Friday 08:00 to 18:00 hours.

11) Nesting birds: No works to trees or shrubs shall occur between the 1 st March and 31 st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out

12) INNS Management: It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as wall cotoneaster are included within this schedule. If any wall cotoneaster will be transported off site as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence

**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: 132489/FO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

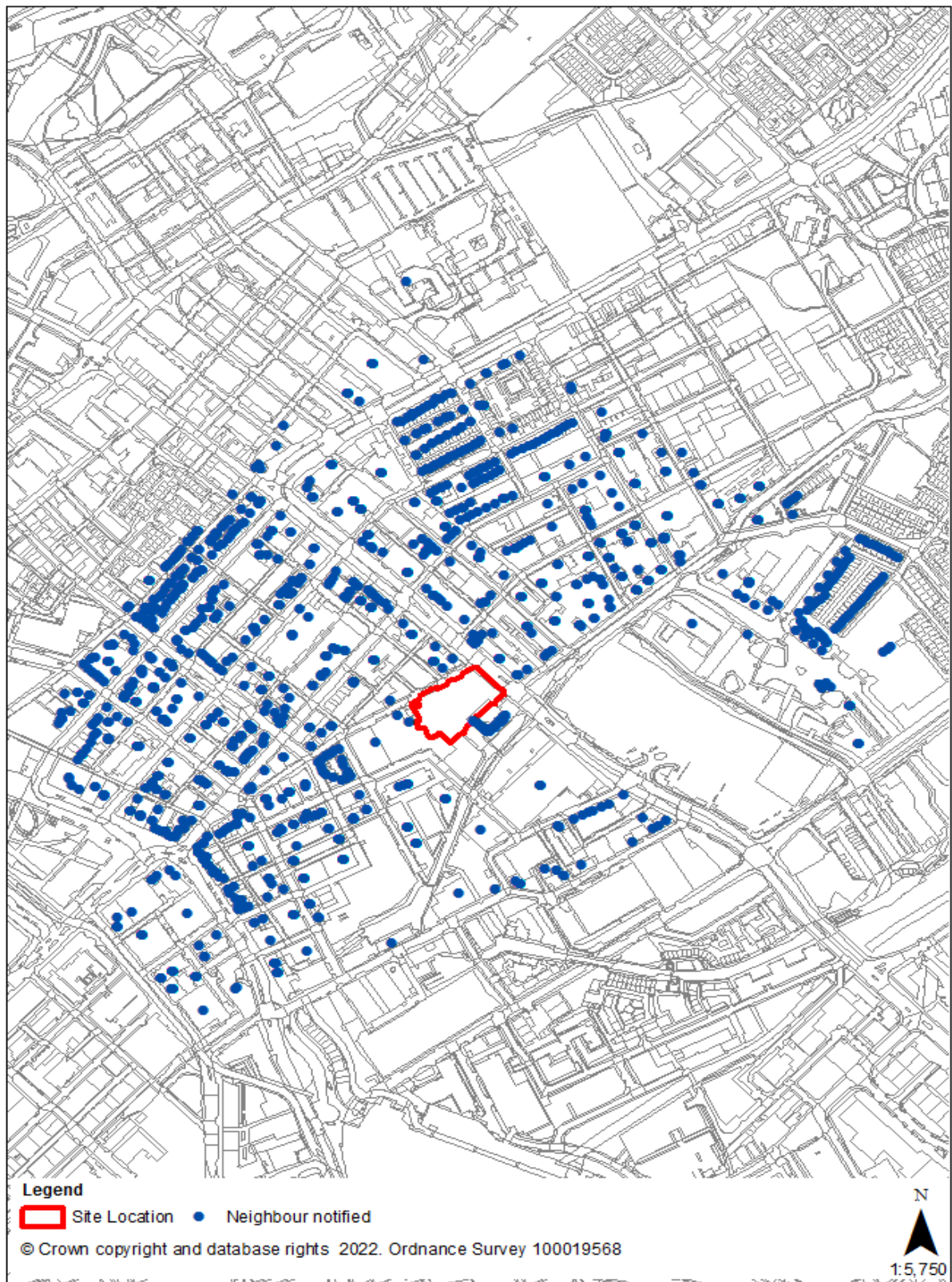
**Planning Casework Unit**  
**Sport England**  
**City Centre Renegeration**  
**Corporate Property**  
**Environmental Health**  
**MCC Flood Risk Management**  
**Highway Services**  
**Strategic Development Team**  
**Oliver West (Sustainable Travel)**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Civil Aviation Authority**  
**Environment Agency**  
**Greater Manchester Archaeological Advisory Service**  
**Greater Manchester Police**  
**Historic England (North West)**  
**High Speed Two (HS2) Limited**  
**Health & Safety Executive (Fire Safety)**  
**Manchester Airport Safeguarding Officer**  
**National Air Traffic Safety (NATS)**  
**Natural England**  
**Transport For Greater Manchester**  
**United Utilities Water PLC**  
**Canal & River Trust**  
**Highway Services**  
**Environmental Health**  
**Corporate Property**  
**MCC Flood Risk Management**  
**Oliver West (Sustainable Travel)**  
**Strategic Development Team**  
**City Centre Renegeration**  
**Greater Manchester Police**  
**Historic England (North West)**  
**Environment Agency**  
**Transport For Greater Manchester**  
**Greater Manchester Archaeological Advisory Service**  
**United Utilities Water PLC**  
**Canal & River Trust**  
**Health & Safety Executive (Fire Safety)**  
**Manchester Airport Safeguarding Officer**

**High Speed Two (HS2) Limited**  
**Natural England**  
**Civil Aviation Authority**  
**National Air Traffic Safety (NATS)**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Sport England**  
**Planning Casework Unit**

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

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	Angela Leckie
<b>Telephone number :</b>	0161 234 4651
<b>Email :</b>	angela.leckie@manchester.gov.uk



<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
132626/FO/2022	23 Dec 2021	31 May 2022	Piccadilly Ward

**Proposal** Erection of 15 storey building comprising 54 apartments (Use Class C3) with associated residential facilities (residents lounge and terrace and office space), 2 car parking spaces and 57 cycle parking spaces, landscaping, access and associated development.

**Location** 48 Store Street, Manchester, M1 2WA

**Applicant** , M1 Piccadilly Ltd, C/o Agent

**Agent** Mrs Diane Ellis, Zerum Consult, 4 Jordan Street, Manchester, M15 4PY

## EXECUTIVE SUMMARY

The proposal is for 54 homes in a 15 storey building. There are 31 objections and 1 letter of support. The objections relate to: design and scale, townscape, affordable housing, amenity including sunlight and daylight, privacy and living conditions of adjacent residents, traffic, highways and parking provision, loss of trees and biodiversity and the consultation process.

### Key Issues:

**Principle of the proposal and the schemes contribution to regeneration:** The development is in accordance with national and local planning policies, and the scheme would bring significant economic, social and environmental benefits. This is a brownfield, previously developed site. It is part of the HS2 SRF and adjacent to the Portugal Street East SRF. The proposal would provide one, two and three bedroom homes which meet the Council's space standards. 2 car parking spaces are proposed. There would be an active street frontage to Store Street and enhanced legibility to create a more vibrant and safe pedestrian environment.

**Economic:** The development would create 78 full time equivalent jobs over the 18 month build period plus jobs connected to supply chain expenditure. Total net GVA from construction would generate around £4.59 million within the local economy. Council tax revenue is estimated to be in excess of £777,700 over a 10 year period.

**Social:** A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The development would be fully accessible and 1 car parking space would be suitable for use by a disabled person.

**Environmental:** This would be a low carbon development in a highly sustainable location. The development would be all electric and meet a some on site energy needs through renewable technologies. There would be no unduly harmful impacts on traffic and local air quality. Any impacts can be mitigated. Green roof, planting on the external terrace and bird and bat boxes would improve biodiversity. A drainage scheme includes sustainable principles and would include SuDS features such as



rain gardens in the public realm. The ground conditions are not complex or unusual. The development of the site would enhance the area. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

**Impact on the historic environment.** This significant building would have some impact on the setting of nearby listed buildings and structures. This would create a low level of less than substantial harm to their setting which is outweighed by the strong and compelling regeneration benefits of this scheme.

**Impact on local residents and local businesses:** The impact on daylight/sunlight and overlooking are considered to be acceptable. Construction impacts would not be significant and their effects can be managed and minimised. Noise outbreak from plant and the commercial unit would meet relevant standards. A full report is attached below for Members consideration.

## DESCRIPTION OF SITE



This 0.07ha site is bounded by Store Street, a 2 storey commercial building and residential development at Piccadilly Village and Chapeltown St. It is vacant and all trees and vegetation were cleared in 2021 to allow investigative works to establish the feasibility of development. A retaining wall on the northern boundary, restricts access to the site and currently it can only be accessed from Piccadilly Village. The site slopes down to Store Street by about 4.5m. Some boundaries have fencing. There is an area of mature tree planting in front of the residential blocks.

The grade II\* listed Ashton canal aqueduct crosses Store Street nearby. Other listed buildings close to the site include the Stable block to the south east of Junction Works, 40 Ducie Street, Crusader Works and London Warehouse (all Grade II

Listed). Stevenson Square Conservation Area is 250m away from the site and Ancoats Conservation Area 500m.

The site is 250 m South West of Piccadilly Station and is close to all sustainable transport options. It has been used for industrial activities since the nineteenth century and buildings were demolished in the late 20<sup>th</sup> century following which self-seeded trees and vegetation became established.

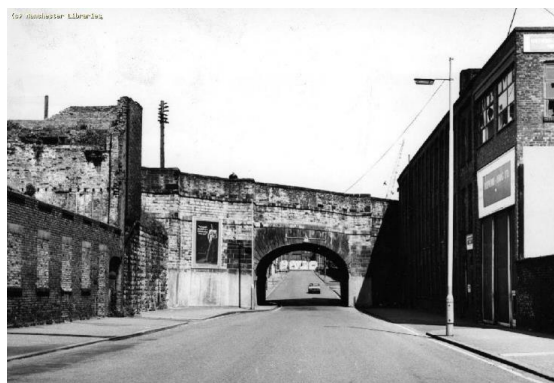


Image of previous building on site 1970

There are 3 and 4 storey residential blocks which typify Piccadilly Village around the Canal to the rear and a 5 storey residential block directly opposite. Jutland House, Navigation House, Wharf Close and Paradise Wharf vary in height from 6 - 8 storeys. There are well established residential communities immediately adjacent, but this part of Store Street has been dominated by light industrial uses for some time. A major residential development has recently been completed at the junction of Great Ancoats Street and Store Street (part 32, 16 and 12 storeys) and permission has been granted for a residential scheme on the opposite side of the Aqueduct (part 4, part 11 storey application ref no 126608/FO/2020).

The site is in the HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018). It is close to the Portugal Street East SRF (PSE SRF) where the following schemes are being implemented:

122000 -Victoria House part 25 part 3 storey residential;  
 127317-The Castings – Part 25,21,14 and 7 storey residential;  
 121099 -The Fairfax -2 residential blocks (29 and 23 storeys); and  
 The Leonardo Hotel (122599) (part 13 part ,14 storey)  
 Consent was also recently granted for a 15 storey building (Ferrous) on Chapeltown Street.



### **Emerging developments HS2 SRF / Store Street /Piccadilly Village**

The site is also close to the Piccadilly Basin SRF; Mayfield SRF; Ancoats & New Islington Neighbourhood Development Framework; Holt Town Regeneration Framework; and the Kampus SRF

The site is close to Piccadilly Station, New Islington metro-link stop and the Inner Relief Route with access to all sustainable transport options. Pedestrian connections and permeability are compromised by traffic and the area feels disconnected from Ancoats and New Islington. There are surface car parks near to the site and a multi-storey car park adjacent to Piccadilly Station.

The site is in Flood Zones 1 with a low risk of flooding with regards to surface water flooding and is in a Critical Drainage Area. The site is in an Air Quality Management Area (AQMA).

The following now expired consents for residential schemes have been approved at the site:

070326/FO/2003/C3 – Construction of a 9-storey building with 16 apartments with parking and landscaping approved 21 February 2006.

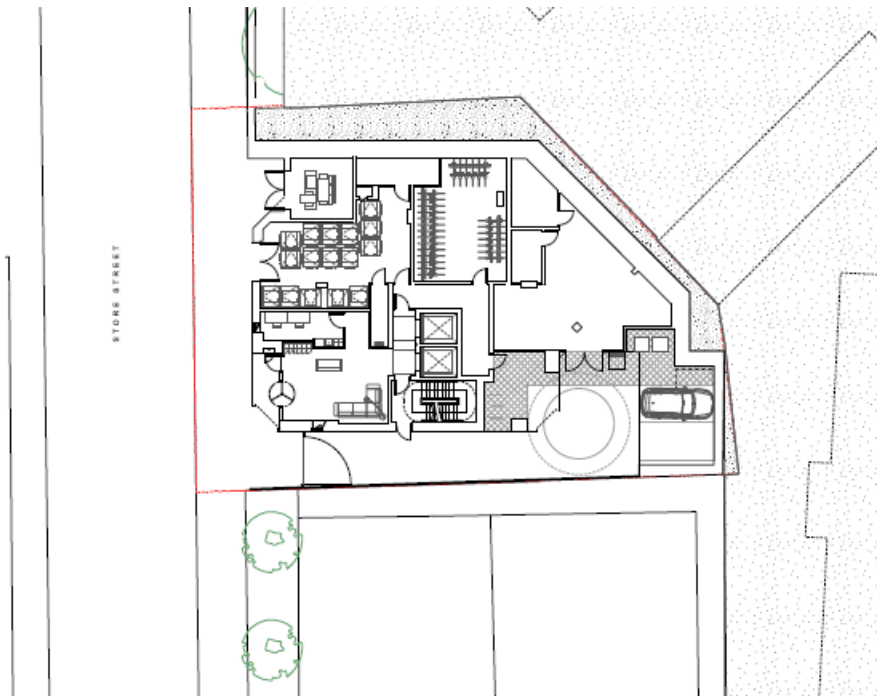
107245/FO/2014/C2 – Erection of 13 storey building with 34 apartments with D2 (Assembly and Leisure) on the ground floor approved 4 March 2016.

### **DESCRIPTION OF PROPOSALS**

Consent is sought for a 15 storey building of 54 apartments (Use Class C3) with 16 one bed, 2 studios, 33 two bed and 3 three bed. There would be a resident's lounge, a terrace and office space, 2 parking spaces and 57 cycle parking spaces. There would be PV cells at roof level.

The reception area would be double height. There would be a cycle store, plant room and refuse store on the ground floor. The refuse store would have an external access point for collection. A turntable would allow vehicles to enter and leave the site in forward gear.

A shared work/ social lounge with three workspace/ meeting rooms would be provided at 1<sup>st</sup> floor with a covered terraced on the northern elevation. Some apartments would have private terraces at roof level and on levels 13 and 14. There would be a green roof on the covered area over the parking and cycle store.



### **Ground floor plan proposed**

Each apartment would have a mechanical ventilation heat recovery (MVHR) system which allows a tightly sealed and correctly ventilated environment to be created and a reduction in heat loss and improved air quality. Residents would have access to openings to give them control over their environment which would be used for overheating. All apartments would have as a minimum dual-aspect views.

Enabling works will be necessary prior to commencement of development to break up and level the site and provide and construct retaining structures.

The building would have a tripartite subdivision with a clear base, middle and top. It would have a chamfered plan form broken up through cut outs at ground floor and on the upper levels. All homes would have a Juliet balcony.

The facade would have three gold / champagne anodised aluminium panel types, including a perforated panel, with tonal variations. There would be metal fins that decrease in size and density from the lower to the upper floors in the perforated panels. Perforated vent panels would cover the ventilation louvres.





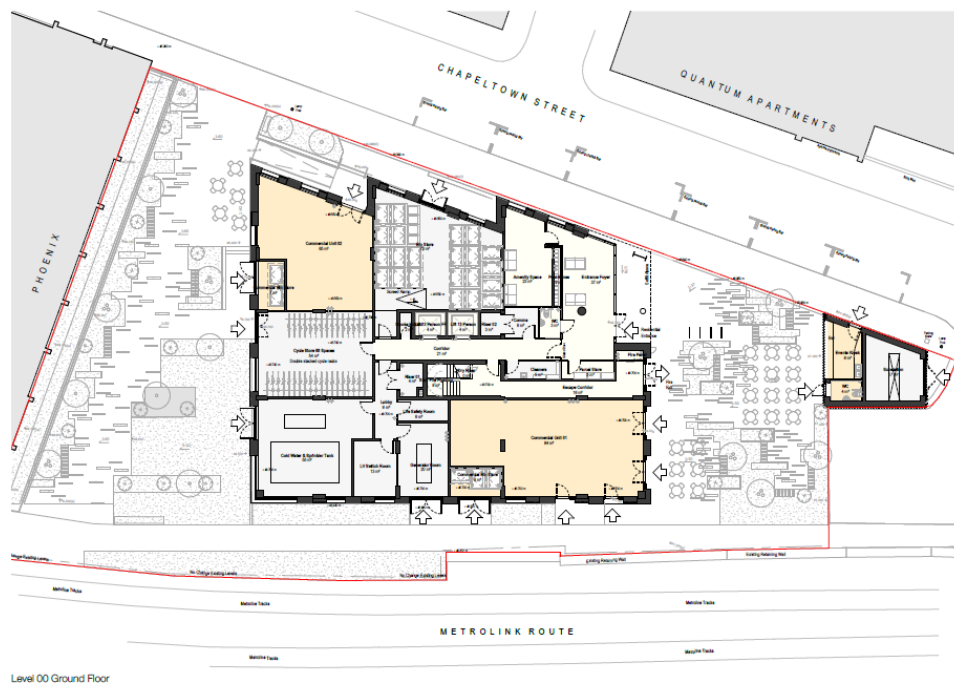
The ground floor entrance would be double height with large areas of glazing. A dark reconstituted stone base would provide some solidity at ground floor. The first floor terrace and glazing would contribute to activity on Store Street.



Store Street Entrance Visualisation



Typical facade visualisation



The homes would comply with or exceed the Residential Quality Guide standards and the 1<sup>st</sup> floor roof terrace would provide communal space. 6 apartments could be adapted to meet changing needs including those of older and disabled people.

A day time onsite management / concierge service would manage deliveries, reception and communal areas. On site security would be in place to manage access / egress to the building during the evening.

A Framework Travel Plan has been provided. A refuse store in the service yard would comply with 'GD 04 Waste Storage and Collection Guidance for New Developments Version: 6.00', with general; co-mingled; organic and pulvable waste streams. Refuse collections would be by the City Council from Store Street. The management company will move the bins to this area on collection day. Residents would segregate waste in their homes and take it to the internal store. Delivery vehicles would use this area. Temporary drop-off would be on Store Street with vehicles stopping in close proximity to the residential entrance.

In addition to the 54 internal cycle parking spaces, three secure spaces would be provided for visitors. One of the parking spaces would be for a disabled person. Two parking spaces would be EV enabled and the applicants would fund a car club bay.

There would be hard landscaping around the site perimeter including upgrades to the pavement area in front of the site on Store Street.

The application is supported by Drawings; - Design and Access Statement, Air Quality Assessment; Archaeological Assessment; Green and Blue Infrastructure Assessment; Broadband Connectivity Assessment; Construction Management Plan; Waste Management Plan; Crime Impact Statement; Daylight/ Sunlight Assessment; Ecology Phase 1; Environmental Standards and Circular Economy Statement; Ground Conditions Report Phase 1; Heritage Assessment; Local Labour Agreement; Noise Impact Assessment; Residential Management Statement; Drainage Strategy

including SuD's; Transport Statement and Travel Plan; TV and Radio Reception Survey; Ventilation, Extraction and Odour; Wind Assessment; Viability Assessment; Town and Visual Impact Assessment; and Fire Statement,

### **Consultations.**

Publicity – Nearby residents and businesses have been notified and the application has been advertised in the local press as a major development, a public interest development, affecting the setting of listed buildings and affecting a public right of way. 1 letter of support and 31 letters of objection have been received (including 1 on behalf of 6 residents).

The letter of support states that it seems a good scheme and more residential is needed in the area. I only became aware of it as local ward councillors are actively campaigning against the scheme, rather than asking all their constituents their own views on the development, which separately I feel is not impartial.

The comments from objectors relate to concerns about: design and scale and impacts on townscape, affordable housing, impacts on amenity, privacy and overlooking, sunlight and daylight, loss of trees /on ecology, traffic, highways and parking provision and the consultation process. A summary is outlined below:

### **Design and Scale and impacts on Townscape**

- This an area characterised by low rise buildings and the height is not consistent; This is unnecessary "for profit only," development in a relatively low rise street. This eyesore will overlook existing properties at one street width and dominate existing residences, blocking light and views;
- The development would shoe-horn between the Ashton canal and buildings on Store Street in advance of HS2, with the objective of increased value after HS2;
- The previous permissions were for smaller buildings with less impact on the adjacent properties, particularly in regard to visual impact and local character. References are made in the application, particularly the TVA about the significant impact on users and residents (eg Section 5.36 in the Planning Statement, Sections 4.7.7 – 4.7.9 of the TVA report). This is not addressed in any meaningful way in the application;
- Section 5.1.3 of the TVA states "Immediately north of the site is a cluster of development around the Cheshire ring of the Ashton Canal. This comprises of Jutland House, Navigation House, Wharf Close and Paradise Wharf. The height of the blocks varies from typically 6 - 8 storeys." This is somewhat of a mischaracterisation of the immediate neighbours. None of the buildings in the Wharf Close development are more than 6 stories in height from Store Street level;
- Section 5.5 (Viewpoint 4) makes no mention of the visual impact to Wharf Close, which is a significant oversight. This is most clearly demonstrated by the architectural drawings (e.g. Elevation CC, DD and EE; Section AA) which clearly show that the proposal is much taller than surrounding residential buildings at Wharf Close and Piccadilly Village. The selected viewpoints seem to deliberately avoid this issue;



- There are plenty of other areas outside the city centre where blocks of this size can be built;
- The appearance is entirely at odds with the townscape. The shiny gold panelling is not in keeping with the existing or approved red-brick buildings and industrial heritage around Piccadilly Village;
- The impacts from light reflection on surrounding buildings has not been considered;
- Manchester City Council should consider commissioning a Residential Visual Amenity Assessment (RVAA) to properly assess the impact of the proposal.
- **Impacts on amenity, privacy and overlooking.**
  - The harm caused would be substantial to the hundreds of residents in terms of loss of privacy, overlooking and overshadowing;
  - The closeness of the proposed building, presumed to be approximately 7m at its closest point, to the nearest apartment block known as 19-27 Thomas Telford Basin (TTB), Piccadilly Village, is totally unacceptable and is believed to fall short of the council's own policy relating to the closeness of buildings. It would be overbearing to the detriment of occupiers of the aforementioned building as bedrooms would be overlooked to an unacceptable degree;
  - The development would result in unacceptable levels of wind tunnelling; The scale would adversely impact on the quality of life of residents;
  - It would "piggyback" there private development with half the properties having living accommodation facing there courtyard. This might be reasonable if the if this fourth side was of comparable scale, but it is out of all proportion. Half of the homes would heavily and closely overlook Piccadilly Village. Insufficient consideration has been given to the privacy neighbouring residents and many windows look into the existing properties on Wharf Close;
  - The roof terrace could become a focus for parties and events and cause noise and disturbance. As there is no permanent on-site property management, the communal roof terrace should be dropped or the hours of its use restricted;
  - There has been several years of living with noise, dirt, dust, and road closures from development and further disturbance would result. Sensible restrictions on the construction hours is required. The 26 living rooms facing Piccadilly Village could cause unsocial noise if openable. Noise or vibration from machinery servicing the building may be below the level their properties.

### **Impacts on Sunlight and Daylight**

- The level of loss is unacceptable; 76 windows at 19 to 40 Thomas Telford Basin would lose light.25 fail BRE standards;
- The light loss to Wharf Close is not mentioned in the Planning Statement. This is entirely at odds with the Daylight and Sunlight report), which clearly shows a major reductions in daylight to Wharf Close;
- There would be significant loss of sunlight to Thomas Telford Basin.
- The current proposal re loss of light and impact of this is based on a 13 storey building. There is no reference to what the light loss is compared to the current site and no historical data to compare any earlier planning applications;

- The true light loss data has been requested over a dozen times from the developer without a satisfactory response;
- The daylight report does not contain data about the existing light levels and there is no data they have for existing light levels;
- The developer has said the Council advised that a light report need only compare to the lapsed previous planning. This is NOT what is required by BRE building standards. The impact of light lost on neighbouring properties must be taken into consideration and not just a comparison against an old scheme;
- Framing comparison with the design of the building previously proposed in the 2016 planning application is flawed as that previous application suffered from serious flaws in their light assessment;
- The periods when sunlight will not be available will be during the early mornings (rather than later in the day) when the properties are most likely to be occupied. Thus, this loss of sunlight would have a disproportionately larger negative impact on the residents compared to when it is averaged over the entire day.

### **Traffic, Highways and Parking provision.**

- The proposal would bring further air pollution which already contravenes the legal limit as traffic would increase. This would increase noise pollution;
- More information is needed about the cumulative impacts from the additional traffic generated from all proposed and approved developments in the area;
- Parking and air pollution are an issue. An additional 54 apartments with only 2 car parking spaces will exacerbate pressure for parking. There would be unsustainable demand for the limited on-street parking;
- The level of cycle parking is inadequate as car free living will require more than one space per unit and will lead to visual clutter from on street cycle parking;
- The level of parking proposed is insufficient;

### **Affordable Housing**

- The developments should include social and affordable housing. Developers make the numbers show the s106 provisions are unaffordable. The council enable this to happen. Manchester has a housing crisis and this development doesn't help;

### **Loss of Trees / Ecology**

- More than 30 trees have been removed. More not less space is needed in the City Centre and high rise development should not be built on green spaces. The site is not derelict rife with nature. The loss of trees has undermined the existing poor levels of ecology in the area further. Some 30 or so trees were cleared without local consultation or announcement and the plan appears to replace them with only 1! This runs contrary to council aims to increase greenery and clean air within the city centre; Given that Manchester City centre is one of the most polluted areas in the UK cutting down 30 trees is unacceptable and impedes the health of those living in the local area; along

with the small amount of local birds that are managing to survive on the limited resources that are available;

- The benefits to the environment from the development are inadequate;
- Damage will be caused to the local environment and the well-established wildlife, including bats which are a protected species. The area is one of the last remaining '**green spaces**' left and would be eradicated.

### Residents Consultation

- There has been no significant consultation of efforts to engage with the local community. The developers did not contact Piccadilly Village on important issues such as 'right for light';
- Insufficient efforts were made to inform the local residents of the development. Residents were given less than a week's notice of the webinar date, and the single date, during working hours, was unsuitable for many. In nearly all cases, this was the first time people were made aware of the proposal;
- The applicants failed to respond to the comments raised. 86% of respondents did not support the design of the scheme. The three main reasons were that it was too tall, didn't fit with the area and the colour should be changed. A comment was raised that the building would restrict light to Wharf Close;
- The developer failed to take these comments into account and provided no feedback. This is not a reasonable level of consultation.

### Other

The development will risk undermining 18th century canal foundations and those of an historic aqueduct;

Residents would not want to live next to the adjacent tin shed which brings the viability into question;

The homes of some local residents may be demolished as a result of HS2 and it is just perverse to demolish homes and rebuild new ones;

A letter has also been received by the owners of the adjacent site whilst supporting the delivery of well considered and well designed regeneration of the site in principle have outlined a number of concerns:

They consider that the current proposals do not sufficiently ensure that.

- they do not compromise existing residential amenity;
- they are not prejudicial to the delivery of future development land available for further regeneration; and
- residential accommodation is provided in a manner that would not, in the future, compromise the amenity of those residents in such accommodation.

They state that the application has not accurately portrayed their emerging scheme nor does it adequately attempt to positively respond to it. Rather the proposals seek to maximise the development footprint of the site and in doing so, the approach not only ensures that the amenity of existing residents located to the rear of the site

would be compromised but the approach also does not adequately respond (despite saying say so) to adjacent redevelopment opportunities and emerging proposals.

This can be demonstrated for example through the proposals' residential units fronting Store Street. A bedroom to this unit has a single aspect narrow window facing towards adjacent land and there has been no attempt to consider the future residential amenity of this space in light of emerging redevelopment proposals which the applicants have been made aware of. As such any new development opposite will compromise daylight and visual amenity to this bedroom and this would result in the emerging proposals being unnecessarily amended to respond to poor design. It is unclear as to what level of consideration future development has been given with regards to the elevations and internal planning to avoid any impact on future development.

The current proposals does not represent a well designed scheme and are in conflict with policies EN1, EN2 and DM 1 of the Manchester Core Strategy, the Manchester Design Guidance, and the Manchester Guide to Development SPD and should be revised accordingly.

**Canal & Rivers Trust** - The proposal would be visually dominant, and a significant building as would the 13- storey consented scheme. A 13 storey building, or lower, would be preferable but agree that the impact of the proposal on the listed aqueduct or canal corridor would not warrant an objection on heritage grounds.

The proposal would not have a significant adverse impact on the canal corridor being set back from the canal, and partially screened by existing Canalside development. They question the appropriateness of reference to a former brass works and the use of gold as an expression of prosperity in the City. The similar treatment at the Hive in Worcester and the Visual Art Centre in Colchester was on lower civic buildings where the extent and impact of the gold will be far more significant. A well selected brick would be a more appropriate and the Council should satisfy itself that the material is appropriate.

**Head of Highways-** no objections subject to conditions about off-site highways works, pavement materials, the provision of a Car Club Bay, provision and adoption of a Travel Plan and a Construction Management Plan

**Travel Change Team** – no objections with suggestions about improvement to surveys and resulting targets which should form part of the final travel plan and about the dissemination of the Travel Plan to residents and staff / visitors.

**HS2** – Have no objection. The proposal will not encroach upon safeguarded land. The soft landscaping is unlikely to affect HS2 utility works. They have advised the applicant to review the Western Leg Hybrid Bill to ensure that they are aware of the proposed HS2 works in that location

**Head of Regulatory and Enforcement Services** (Street Management and Enforcement) - No objection and recommends conditions relating to acoustic

insulation and plant and equipment, the storage and disposal of refuse, the hours during which deliveries can take place, the management of construction and the mitigation / management of any contaminated land.

**Greater Manchester Police (Design for Security)** – No objection subject to the recommendations of the Crime Impact Statement being implemented.

**Greater Manchester Ecology Group** – No objections. The planting would mitigate any loss of biodiversity.

**Flood Risk Management Team** – Recommend that Green Sustainable Urban Drainage Systems are maximised and conditions should ensure surface water drainage works are implemented in accordance with Suds National Standards, verification of these objectives and secure 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 of the existing rates and achieving greenfield runoff rates, where feasible.

**Environment Agency** – No objection subject to conditions.

**United Utilities** – No objections subject to a condition about surface water run off.

**Historic England** – Have no comment and advise that the Council seek the views of its specialist conservation and archaeological advisers.

**GMAAS** - A Desk Based Archaeological Assessment confirms there are no heritage assets in the site, but notes that the former site level beneath up to 2.5m of made-ground (likely to have derived from demolition within the site and from neighbouring plots), could contain remains of former remnants that survived at depth, as indicated by archaeological works on nearby sites. They agree with the conclusions of the DBA that there is the potential for below-ground remains to have survived at the site, and for these to be impacted upon by ground-moving activities. A condition should require further investigation with any remains recorded.

**Health and Safety Executive (Gateway 1)** – No objections but have commented on the Fire Safety Statement identifying some further design work required in relation to the facades and the use of protected lobbies to separate common areas and access to water for firefighting. These may have an impact on planning considerations of design and layout with planning implications which could usefully be considered now.

**Greater Manchester Fire and Rescue Service** – The firefighting arrangements should meet the requirements for Fire Service access in relation to the width of access road and location of a fire hydrant as well as promoting the use of a sprinkler system within the development.

## ISSUES

### **Local Development Framework**

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") sets out long term strategic planning policies. The proposals are considered to be consistent with the following Core Strategy Policies SP1, CC1, CC3, CC5, CC6, CC7, CC8, CC9, CC10, T1, T2, EN1, EN2, EN3, EN4, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, H1, H2 and H8 EC1, DM1 and PA1 for the reasons set out below.

### **Saved UDP Policies**

Some UDP policies have been saved and the proposal is considered to be consistent with the following saved UDP policies DC 10.1, DC19.1, DC20 and DC26 for the reasons set out below.

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

**SO1. Spatial Principles** – The development would be highly accessible and reduce the need to travel by private car which could contribute to halting climate change.

**SO2. Economy** – The construction jobs and new homes would support economic growth. Local labour agreements would deliver social value and reduce economic and social disparities to help create inclusive sustainable communities.

**SO3 Housing** - Economic growth requires housing in attractive places. This sustainable location would address demographic need and support economic growth. The City's population has continued to grow as its economy has expanded.

**SO5. Transport** - This highly accessible location is close to public transport and would reduce car travel.

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

### **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, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The proposal is considered to be consistent with sections 5, 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons set out below

Para 105 states that the planning system "should actively manage patterns of growth in support of the objectives of promoting sustainable transport" (para 104).

"Significant development should be focused on locations which can be made sustainable" as "this can help to reduce congestion and emissions and improve air quality and public health".

Paragraph 119 states that "planning policies and decisions should promote 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". This should be done in a way "that make as much use as possible of previously - developed or 'brownfield' land"

Paragraph 120(d) Planning policies and decisions should: "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".

Paragraph 124 states that planning policies and decisions should support development that makes efficient use of land, taking into account:

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

Paragraph 126 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"



Paragraph 130 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) 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);
- d) 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;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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 134 states that development that is not well designed should be refused, especially where it fails to reflect 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. Conversely, significant weight should be given to:

- a) 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
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings

NPPF Section 6 - Building a strong and competitive economy and Core Strategy Policies SP 1 (Spatial Principles), CC1 (Primary Economic Development Focus), and CC8 (Change and Renewal) – The development would be close to sustainable transport, maximise the use of the City's transport infrastructure and enhance the built environment, create a well-designed place and reduce the need to travel. It would deliver the objectives of the HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018).

The proposal would develop an underutilised brownfield site and create employment during construction and building management, commercial uses and public realm.

This would support economic growth and complement nearby communities. Resident's use of local facilities and services would support the local economy. The proposal would help to create a neighbourhood where people choose to be.

NPPF Section 7 Ensuring the Vitality of Town Centres and Core Strategy Policies SP 1 (Spatial Principles) and CC2 (Retail) – The City Centre is the focus for economic and commercial development, leisure and cultural activity and living. The proposal would be part of a neighbourhood which would attract and retain a diverse labour market. The homes in a major employment centre in a well-connected location would support GM's growth objectives.

NPPF Section 9- Promoting Sustainable Transport and Core Strategy Policies CC5 (Transport), T1 (Sustainable Transport) and T2 (Accessible Areas of Opportunity and Need) - The site is accessible to pedestrians and cyclists, with tram stops and rail Stations close by. A Travel Plan would promote sustainable transport and minimise employment, business and leisure journeys. The proposal would support sustainability and health objectives and residents would have access to jobs, local facilities and open space. It would improve air quality and encourage modal shift from car travel. Pedestrian routes would be improved, and the environment would prioritise pedestrian and disabled people, cyclists and public transport.

NPPF Sections 5 (Delivering a sufficient supply of homes) and 11 (Making Effective Use of Land) and Core Strategy Policies CC3 Housing, CC7 (Mixed Use Development), Policy H1 (Overall Housing Provision), H2 (Strategic Housing Location), Policy H8 (Affordable Housing) and Policy CC10 A Place of Everyone – This high-density development would use a sustainable site efficiently in an area identified as a key location for residential growth. It would contribute to the ambition that 90% of new homes are on brownfield sites. It would have a positive impact on the area and provide accommodation which would meet different household needs. The apartments would appeal to a wide range of people from single people and young families to older singles and couples.

Manchester's economy continues to grow, and investment is required in locations such as this to support and sustain this growth. The City Centre is the biggest source of jobs in the region and these homes would support the growing economy and help to create a sustainable, inclusive, mixed and vibrant community.

A Viability Appraisal demonstrates that the scheme is viable and deliverable but cannot provide affordable housing. Notwithstanding this the applicants have offered an upfront payment of £125,000 towards off site affordable housing. The viability would be reviewed at a later date to determine if the schemes viability improves and a greater contribution can be secured. This is discussed in more detail below.

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 Policy DC19.1 (Listed Buildings) – The development would use the site efficiently, promote regeneration and change and create an attractive and healthy place to live and

spend time. The development would improve functionality and contribute to the planned growth of the City Centre towards New Islington and Ancoats.

The development would not have a detrimental impact on the setting of the nearby listed Junction Works, 40 Ducie Street, Crusader Mill, London Road Warehouse, 32-34 Laystall Street, the Entrance Archway and Lodge to the Yard of the Rochdale Canal Company, the Rochdale Canal Company Office Former Horrocks Crewdson and Company Warehouse, Ashton Lock Keepers Cottage, the Cooperative Warehouse (all Grade II), Dale Warehouse or Store Street Aqueduct (both Grade II\*).

The scale and quality would be acceptable and would contribute to place making. It would raise design standards and create a cohesive urban form. It would improve the character and quality of a site whose appearance is poor. The positive aspects of the design are discussed in more detail below.

A Tall Building Statement identifies key views and assesses the impact on them. It evaluates the relationship to context / transport infrastructure and its effect on the local environment and amenity. This is discussed in more detail below.

The following parts of the NPPF should also be noted:

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation

194. 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. This should enable potential impact of the proposal on their significance to be understood. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a development could include, heritage assets with archaeological interest a desk-based assessment and, where necessary, a field evaluation is required.

195. Local planning authorities should identify and assess the significance of any affected heritage assets, including setting and use this to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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

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

199. When considering the impact of a proposal on 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.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

202. Development that would lead to less than substantial harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

206. LPAs should look for development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or better reveal its significance) should be treated favourably.

A Heritage Appraisal, Visual Impact Assessment and NPPF Justification Statement demonstrate that the historical and functional significance of adjacent heritage assets would not be undermined, and their significance would be sustained.

The site does not contribute to townscape and has a negative impact on the setting of adjacent heritage assets. A good quality building that makes a positive contribution to the townscape could enhance their setting. The proposal would cause less than substantial harm to the setting of the adjacent listed buildings and these need to be weighed against any public benefits.

The redevelopment would create an active frontage and would enhance the streetscene. The design of the building would respond to its context.

Core Strategy Section 8 Promoting healthy communities - Active street frontages and public realm would increase natural surveillance.

Saved UDP Policy DC20 (Archaeology) - the desk based assessment identifies the principal historic interest are potential remains of buildings/structures/areas to have survived at depth. A watching brief during site investigation works to better understand the depth and construct of made-ground and the level of truncation of any below-ground deposits below modern street level. The results of any investigations should inform the necessity for any further phases of archaeological investigation. A condition would ensure an appropriate level of mitigation.

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), EN 8 (Adaptation to Climate Change), EN14 (Flood Risk) and DM1 (Development Management - Breeam requirements) - An Environmental Standards Statement demonstrates that the development would accord with a wide

range of principles that promote energy efficient buildings. The design has followed the principles of the Energy Hierarchy to reduce CO2 emissions and would meet the requirements of the target framework for CO2 reductions from low or zero carbon energy supplies. The reductions would be achieved through Energy Efficient Design, and the building fabric would exceed minimum requirements of Building Regulations. Low or Zero Carbon technology includes Photovoltaics (PV) on the roof to provide an element of on-site electricity generation.

Surface water drainage would be restricted to a Greenfield run-off rate if practical, and the post development run-off rate would be 50% of the pre development rates as a minimum. The drainage network would ensure that no flooding occurs for up to and including the 1 in 30-year storm event, and any localised flooding would be controlled for up to and including the 1 in 100-year storm event including 20% rainfall intensity increase from climate change. The surface water management would be designed in accordance with the NPPG and DEFRA guidance in relation to Suds.

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy Policies EN 9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN 16 (Air Quality), Policy EN 17 (Water Quality) Policy EN 18 (Contaminated Land and Ground Stability) and EN19 (Waste) - Information on the risk of various forms of pollution, including ground conditions, air and water quality, noise and vibration, waste and biodiversity have demonstrated that the proposal would not create significant adverse impacts. Surface water run-off and ground water contamination would be minimised

The largely self seeded tree removal that occurred recently occurs on many brownfield sites. An Ecology Report concludes that there is no evidence of any specifically protected species regularly occurring on the site or surrounding areas which would be negatively affected. Biodiversity enhancements are recommended which could be delivered as part of the development. The proposals would not adversely affect any statutory or non-statutory designated sites.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out environmental improvement outcomes in the context of growth and development objectives. The contribution of this proposal is discussed in more detail below. There would be no adverse impacts on blue infrastructure. The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy details measures that would minimise waste production during construction and in operation. Coordination through the onsite management team would ensure that waste streams are managed.

DC22 Footpath Protection - Ground floor activity and the introduction of new public realm and improved and better quality connectivity would improve pedestrian routes.

Policy DM 1- Development Management - Outlines a range of general issues that all development should have regard to and of these, the following issues are or relevance to this proposal:

- appropriate siting, layout, scale, form, massing, materials and detail;

- design for health;
- impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- that development should have regard to the character of the surrounding area;
- effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- accessibility to buildings, neighbourhoods and sustainable transport modes;
- impact on safety, crime prevention and health; adequacy of internal accommodation, external amenity space, refuse storage and collection, vehicular access and car parking; and
- impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

The above issues are considered in detail in below.

Policy PA1 Developer Contributions - This is discussed in the section on Viability and Affordable Housing Provision below

DC26.1 and DC26.5 (Development and Noise) - Details how the development control process will be used to reduce the impact of noise on people living and working in the City stating that this will include consideration of the impact that development proposals which are likely to be generators of noise will have on amenity and requiring where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate This is discussed below.

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 Relevant City Council Policy Documents**

### **Climate Change**

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



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

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

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

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

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

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

Climate Change and Low Emissions Implementation Plan (2016-2020) -This Implementation Plan is Greater Manchester's Whole Place Low Carbon Plan. It sets out the steps we will take to become energy-efficient and investing in our natural environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester's air quality. These

have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation

How proposal relates to policy objectives set out above is detailed below.

## **Other Documents**

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposals would be consistent with these principles and standards.

It is considered that the following design principles and standards are relevant to the consideration of these applications:

- Each new development should have regard to its context and character of area.
- The design, scale, massing and orientation of buildings should achieve a unified urban form which blends in and links to adjacent areas. Increased density can be appropriate when it is necessary to promote a more economic use of land provided that it is informed by the character of the area and the specific circumstances of the proposals;
- Developments within an area of change or regeneration need to promote a sense of place whilst relating well to and enhancing the area and contributing to the creation of a positive identity. There should be a smooth transition between different forms and styles with a developments successful integration being a key factor that determines its acceptability;
- Buildings should respect the common building line created by the front face of adjacent buildings although it is acknowledged that projections and set backs from this line can create visual emphasis, however they should not detract from the visual continuity of the frontage;
- New developments should have an appropriate height having regard to location, character of the area and site specific circumstances;
- Developments should enhance existing vistas and create new ones and views of important landmarks and spaces should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises;
- Visual interest should be created through strong corners treatments which can act as important landmarks and can create visual interest enliven the streetscape and contribute to the identity of an area. They should be designed with attractive entrance, window and elevational detail and on major routes should have active ground floor uses and entrances to reinforce the character of the street scene and sense of place.

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

### HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018) –

The application site lies within a sub area of the SRF designated as Piccadilly Central which is envisaged as an area characterised by dense mixed use development focused around a series of high quality public spaces. It is indicated as a site for a residential development within the Framework. In terms of connectivity it envisages both Chapeltown Street and Longacre Street as main pedestrian routes linking the Station with East Manchester.

The transport node plays a critical role in the city's economic regeneration. Significant investment is focused around Piccadilly Station and an SRF in 2018 aims to create a major new district based around a world class transport hub. This would ensure that the City can capitalise on the opportunities presented by HS2 and the expansion of the Station. The overarching objectives are to improve the attractiveness of the area to investment; improve physical connections and permeability; and provide destinations for social and cultural activity. It is envisaged that the areas around the station would be diverse neighbourhoods of choice where people are attracted to live, work and socialise.

The SRF identifies increasing density as crucial to sustainable growth and long term economic competitiveness. The proposal would support and complement the next phase of growth in Manchester, deliver strategic regeneration objectives and improve connectivity between the City Centre and nearby communities.

In terms of uses the proposed development would be consistent with the above objectives.

Portugal Street East Strategic Regeneration Framework (SRF) 2018 – The site borders the Portugal Street East SRF (also a sub area of the HS2 SRF) which is adjacent to the proposed HS2 station entrance. The SRF aims to secure comprehensive delivery including areas of high quality public realm and other infrastructure between development plots.

The key drivers for building a vibrant and connected neighbourhood that contributes towards Manchester's economic growth objectives in a sustainable way are:

- The quality of the buildings within the framework area will be of the highest possible standard with designs that are immediately deliverable.
- Development will be of a high density, commensurate with the area's highly accessible location and the city's need to optimise strategic opportunity sites which can deliver much needed new homes and employment space.
- As part of the vibrant place making strategy required to support the proposed density of development, a range and quality of uses, high quality public and private amenity spaces and excellent pedestrian connections are essential components of the successful delivery of the SRF.

- Active frontages and public access to the ground floor of buildings should be provided where possible and appropriate, particularly along major corridors of movement through the framework area.
- More detailed plans should take into account the presence and character of the listed buildings and their significance in helping to define a unique sense of place in the future.

There is an emphasis on a mix of uses and density commensurate with the strategic opportunity. This includes residential and business uses and supporting retail and leisure. Appropriate locations for height and landmark buildings, and new public space are identified.

The proposal would create a high quality building ensure Manchester can unlock further potential for economic growth in the future and would complement the vision and objectives set out within the SRF.

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

The site of the current planning application falls within the area designated as Piccadilly. This identifies the wider Piccadilly area as having the potential for unrivalled major transformation over the coming years and notes that the additional investment at Piccadilly Station provided by HS2 and the Northern Hub represents a unique opportunity to transform and regenerate the eastern gateway to the city centre, defining a new sense of place and providing important connectivity and opportunities to major regeneration areas in the east of the city.

The City Centre Strategic Plan endorses the recommendations in the HS2 Manchester Piccadilly SRF

The proposed development would be complementary to the realisation of the opportunities set out above. It would complement the process of establishing a sense of place which the emerging developments within the adjacent Portugal Street East Neighbourhood have begun to establish. It would along with other pipeline developments within area contribute to the process of strengthening connections between Piccadilly and the communities of East Manchester whilst strengthening physical and visual links between the City Centre and those key regeneration areas beyond

Manchester Residential Quality Guidance (July 2016) (MRQG) – The City Council's has endorsed the Manchester Residential Quality Guidance which is now a material planning consideration. The document provides specific guidance for Manchester and includes a section on the consideration of space and daylight. The guide states that space standards within dwellings should comply with the National Described

Space Standards as a minimum. In assessing space standards for a particular development, consideration needs to be given to the planning and laying out of the home and the manner in which its design creates distinct and adequate spaces for living, sleeping, kitchens, bathrooms and storage. The size of rooms should be sufficient to allow users adequate space to move around comfortably, anticipating and accommodating changing needs and circumstances. The proposal is broadly in keeping with the aims and objectives set out in the guidance.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place. The proposed development would contribute to achieving the above targets and growth priorities.

'Powering Recovery: Manchester's Recovery and Investment Plan' – This sets out what Manchester is doing to respond to the COVID-19 pandemic and reinvigorate its economy, with plans to protect and create jobs, and support new business opportunities in the city's economy. It sets out how Manchester can play a leading role in the levelling-up agenda, with ambitious plans to build on recent investment in economic assets and infrastructure and accelerate the growth in high-productivity sectors including the Digital, Creative, Technology and Health Innovation Sectors alongside the well established financial and professional services sectors. This includes support for major job-generating investment with high-growth sectors, new-starts and scale-up.

People and businesses want to be in Manchester; they choose to live and work here. The stability of the city centre is essential to attract further growth and the provision of further high quality, high density residential accommodation, in a location adjacent to areas targeted for employment growth would, support the growth of the target sectors detailed above.

Stronger Together: Greater Manchester Strategy 2013 - This is the sustainable community strategy for the Greater Manchester City Region. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life.

The proposed residential accommodation would support and align with the overarching programmes being promoted by the City Region via the GM Strategy. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population and to address undersupply and the Council is adopting measures to enable this. The proposals represent an opportunity to address these requirements adjacent to a major employment centre and in a well-connected location.

## Other National Planning Legislation

### **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 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 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) Regulations 2017 and National Planning Practice Guidance (2017).**

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. Whilst the nature of the proposal is of a magnitude which would not fall within the definition of the thresholds set for “Urban Development Projects” within Schedule 2 given that the proposals fall within an area where there are currently a number of major development projects approved and under construction and that it sits close to the Piccadilly HS2 Masterplan Area, the City Council has adopted a screening opinion in respect of this matter including cumulative impacts to determine if this level of assessment was necessary and to determine whether the proposed development was likely to give rise to significant environmental effects.

It was concluded that there will not be significant environmental impacts associated with the proposed development, subject to suitable mitigation, and therefore an Environmental Statement is not required.

## The Schemes Contribution to Regeneration

The regeneration of the City Centre is an important planning consideration as it is the primary economic driver of the region and crucial to its longer term economic success. There has been a significant amount of regeneration in Piccadilly over the past 20 years through private and public sector investment. Major change has occurred at Piccadilly Gardens, Piccadilly Basin, Piccadilly Station, Piccadilly Triangle, Kampus and the former Employment Exchange. This will continue as opportunities are presented by HS2, and the City Centre Core continues to expand to areas beyond such as Ancoats, New Islington and Portugal Street East. The development would contribute to the area's transformation and regeneration.

The site was in industrial use for over a century and its appearance is similar to other post industrial sites. It has no status as open space. The largely self-seeded trees recently removed offered some amenity value but the site is not publicly accessible and its ecological value was low. Street level activity in this part of Store Street is poor and the benefits of the development and the mitigation for the previous loss of green infrastructure outweigh any visual or ecological harm and the Greater Manchester Ecology Group have no objection.

Manchester is the fastest growing city in the UK, and the city centre population has increased significantly. The population is expected to grow considerably by 2030, and this, together with trends and changes in household formation, requires additional housing. Providing the right quality and diversity of housing including affordable homes, is critical to economic growth and regeneration in order to attract and retain a talented workforce. The homes would be in a well-connected location, adjacent to major employment and areas earmarked for future employment growth. This previously developed brownfield site would provide homes in a highly sustainable well-connected location and would bring new footfall into the area.

The site has a negative impact on the street scene. It has a poor appearance and fragments the historic built form and creates a poor impression. The development would provide a positive use that benefits the surrounding area. The increase in ground level activity and improved connectivity would integrate the site into the urban grain. Enhanced legibility would create a more vibrant and safe pedestrian environment which would also improve the impression of the area for visitors.

Employment would be created during construction, with permanent employment in the building management. The proposal would use the site efficiently and effectively in a high quality building in line with Paragraph 119, 120(d) and 124 of the NPPF. It is a sustainable location and would improve the environment and deliver high quality housing with safe and healthy living conditions. It would be located close to major transport hubs and would promote sustainable economic growth.

The site makes no contribution to the local economy. The development would create 78 FTE jobs over the 18 month construction period. Approximately 7 part time jobs would be generated through the operation of the building. A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. Work experience opportunities and creating apprenticeships will be provided where possible.



The development would generate GVA of £1.73m in greater Manchester economy over the lifetime of the construction and £2.86m indirect GVA from the supply chain. In excess of £777,700 in Council Tax is expected to be generated over a 10 year period.

### **Viability and affordable housing provision**

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

An applicant may seek an exemption from providing affordable housing, or provide a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, where a financial viability assessment is conducted which demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; 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 54 homes for sale. The delivery of homes is a council priority. The proposal would develop a brownfield site where the topography and access make development difficult. It would create active street frontages on a site which makes little contribution to the area. It would have a good quality appearance and would comply with the Residential Quality Guidance. All these matters have an impact on viability.

A viability report has been made publicly available through the Councils public access system. This has been independently assessed, on behalf of the Council, and its conclusions are accepted as representing what is a viable in order to ensure that the scheme is deliverable to the highest standard.

The benchmark land value of £297,000 and build costs of £179.77 per sq ft. are within the range expected based on market evidence. The GDV is £15,228,400 and profit level is at 15.52% on GDV. On this basis and given the costs associated which includes providing the public realm within the development, the scheme cannot support a contribution towards off site affordable housing whilst ensuring that the scheme is viable and can be delivered to the quality proposed.

Notwithstanding the above the developer has offered an upfront contribution of £125,000. which would result in a profit level of 14.59% on GDV.

There would be provisions in a s106 agreement to allow the viability to be re-tested to assess whether any additional affordable housing contribution could be secured should market conditions change during construction.

### **Residential development - density/type/accommodation standards**

All homes would meet, and some would exceed, space standards. All would be adequately ventilated, and dual aspect, have large windows to increase natural sunlight and daylight and have 2.4m floor to ceiling heights. The flexibility of the open-plan living/kitchen/diner arrangement responds to contemporary lifestyles.

The communal lounge and terrace, and relatively low number of apartments in the development would promote the creation of a community within the building.

The mix and size of the homes would appeal to single people and those wanting to share. The 2 and 3 bed homes would be attractive to families and those downsizing. All the apartments will cater to, or be capable of conversion, to meet the needs of all allowing a mix of people to reside in the development.

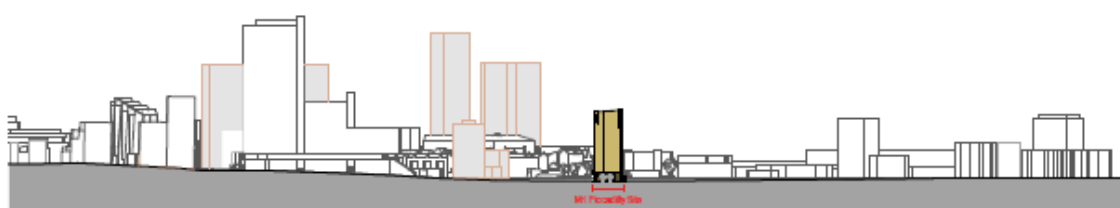
A condition would require a management strategy and lettings policy for the homes and a management strategy for the public realm including the hours of operation of the external part of the amenity area. This would ensure that the development is well managed and maintained and support long-term occupation.

### **CABE/ English Heritage Guidance on Tall Buildings**

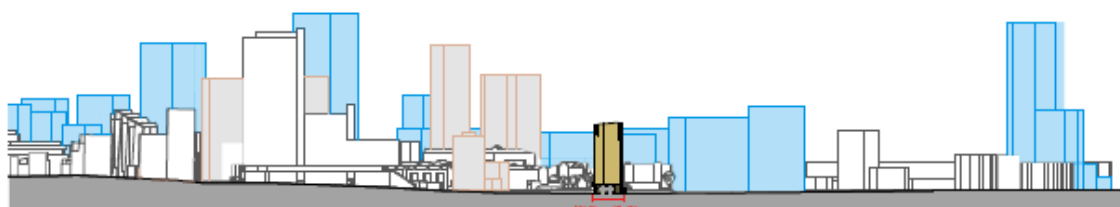
One of the main issues to consider is whether a 15 storey building is appropriate in this location. Development on Store Street ranges from low rise industrial units to Oxygen at 31 storeys. The context surrounding this site is lower rise around Piccadilly Village and the Wharf Apartments on the opposite side of Store Street is 5 storeys. There is a previous approval for a 13 building on this site which has expired and a recent approval of the 4/ 11 storeys at 52 Store Street.

A 15 storey building would be tall in its local context and a key issue is whether this is appropriate and this needs to be assessed against the relevant policies in the NPPF and Core Strategy Policies that relate to Tall Buildings, the design parameters set out within relevant SRF's and the criteria set out in the Guidance on Tall Buildings published by English Heritage and CABE.





Cityscape Elevation with Pipeline Projects



Cityscape Elevation with pipeline projects and Manchester Piccadilly SRT Massing

### **Proposed development in context of approved adjacent developments and indicative HS2 Massing**

**Design Issues, relationship to context, including principle of tall building in this location and the effect on the Historic Environment** This considers the overall design in relation to context and its effect on key views, listed buildings, conservation areas, scheduled Ancient Monuments, Archaeology and open spaces.

The key issues are the appropriateness of a tall building in this location and its potential impact on the setting of the Ancoats and Stevenson Square Conservation Areas, affected listed buildings and non-designated heritage assets.





The Core Strategy supports tall buildings that are of excellent design quality, are appropriately located, contribute positively to sustainability and place making and deliver significant regeneration benefits. They should relate sensitively to their context and should make a positive contribution to a coherent city/streetscape. Sites within the City Centre are considered to be suitable where they are viable and deliverable, particularly where they are close to public transport nodes. The HS2 SRF promotes high-density mixed-use development, with a residential focus around Store Street, with the potential for taller buildings along main routes into the city centre such as Store Street.

The site is close to Piccadilly Station, an important gateway city and a distinctive building in this location could improve legibility and add positively to the cityscape. A building of the height proposed would act as a landmark and enhance the sense of place, providing orientation and reference.

The Core Strategy requires tall buildings to create a unique, attractive and distinctive City. They should enhance the character and distinctiveness of an area without adversely affecting valued townscape or landscapes or intruding into important views. The site undermines the quality and character of the townscape at a main entry point into the city. A lack of street level activity creates a poor impression.

The scale, form and massing of the building has sought to minimise impact on adjacent residents and the adjacent plot, in terms of overlooking and impacts on sunlight and daylight compared with the previous approval and notwithstanding the increase in height.

The angled plan form to the upper levels would maximise the number of windows to each apartment. Setbacks in the façade and the reduction in massing on the upper floors help to break down the massing.



The ground floor treatment would help to integrate the site into its context and define the streetscape. The dark reconstituted stone base would provide a quality, robust material and create a high quality first impression

There are a diverse range of architectural styles and materials on Store Street. There is however a predominance of warm colours. The proposed materials would reference this in a modern design. The detailing and quality of the materials can be controlled by a condition. Overall, it is considered that the contemporary approach is appropriate and would deliver the quality of building required by the SRF and local and national planning policy.



### **Design Issues, relationship to context and the effect on the Historic Environment.**

#### **Impact on Designated and Non Designated Heritage Assets and Visual Impact Assessment**

A Heritage Assessment Townscape and Visual Impact Assessment used Historic England's updated policy guidance on the Setting of Heritage Assets (Historic Environment Good Practice Advice in Planning Note 3, Second Edition). (December 2017). A visual assessment has analysed the impact in townscape terms. 9 views were selected with verified views before and after

### **Impact on views of Heritage Assets and Townscape impacts**

The proposal would have no physical impact upon the grade II\* listed aqueduct. The height and scale of the development could impact on the setting of the nearby conservation areas and wider townscape impacts have been tested.

The Heritage Assessment has evaluated the impacts on the, the Stable block to the south east of Junction Works, 40 Ducie Street, Crusader Works, London Warehouse, 32-34 Laystall Street, the Entrance Archway and Lodge to the Yard of the Rochdale Canal Company, the Rochdale Canal Company Office Former Horrocks Crewdson and Company Warehouse, Ashton Lock Keepers Cottage, the Cooperative Warehouse (all Grade II) and Dale Warehouse and Store Street Aqueduct (both Grade II\*)

The townscape comprises the old and the new and the proposal is located on a formally developed site which is cleared and redundant. The urban grain is fragmented and lacks cohesion.

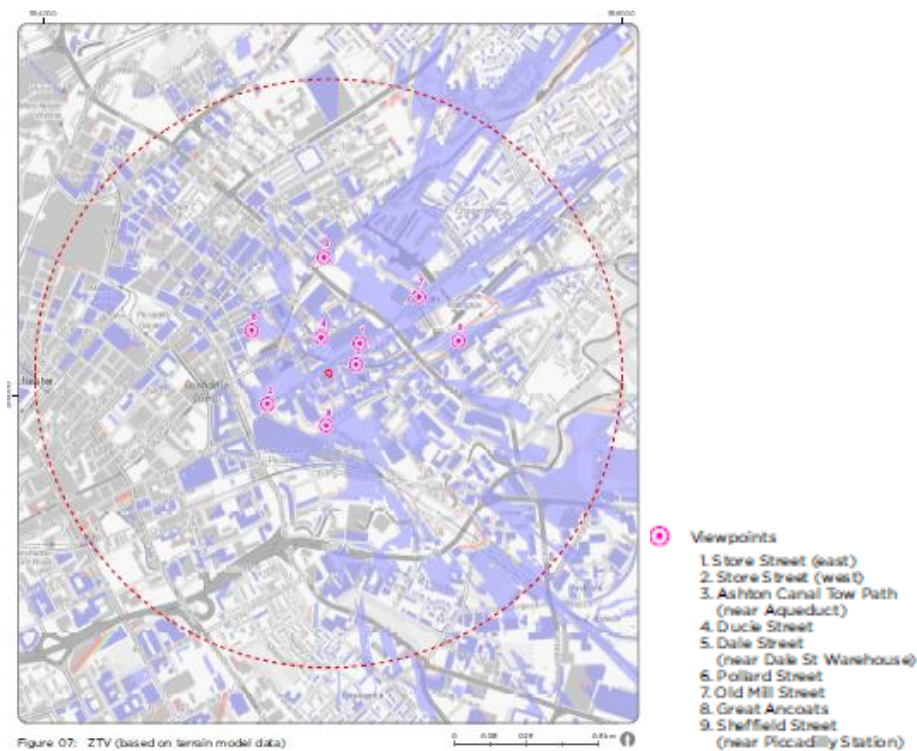
A visual assessment has analysed the impact in townscape terms from a baseline of 9 representative views. The impact of the development on heritage assets has also been assessed.

The effect of the proposal against the existing baseline i.e. at the of writing the TVA and Heritage Impact Assessment, including committed schemes has been assessed. Visual effects were related to changes that would arise in the composition of views as a result of changes including to the landscape and the overall effects with respect to visual amenity.

The Assessment concluded that the development would have no effect on the perceived townscape character of the following adjacent conservation areas: A. Stevenson Square; C. Whitworth Street;

Visibility of the proposal is limited to the very southern edges of the Ancoats conservation area (B), where there are views from the Rochdale Canal Towpath (view 8). The magnitude of change to the character of the Ancoats conservation area would be negligible and the effect minor because almost all of the proposal will be screened behind the foreground Urban Exchange Retail with only parts of the upper floor of the proposal visible above the intervening roofline and resulting in a negligible influence on the townscape character.





### Viewpoint locations and scope



#### Viewpoint 1 Store Street (east) (users of Store Street)

The heritage significance of the Grade II\* aqueduct is fully appreciated, especially when travelling closer towards although the pedestrian environment is poor with a lack of activity and a fragmented streetscape.

The setting of the building is detrimental with little historic character and there is a high capacity for change to enhance the setting of the listed structure. The proposal would be a prominent change along Store Street, behind the viaduct. Its scale would



contrast with the lower residential buildings but there are other tall buildings on Store Street and the impact would be moderate.

The new building would be prominent but would not diminish the architectural and historic interest of the aqueduct, whose significance derives from its innovative design and distinctive skewed form. The proposal would result in considerable visual change, its overall impact on the built historic environment from this view would be negligible adverse.

The Grade II\* Aqueduct is the only designated heritage asset in the view. Despite the height and scale of the proposal, the architectural interest of the listed structure would remain fully appreciable in short-to-mid range views. The height and scale of the proposal would have an adverse impact on the established form and massing of the area and the pale anodised aluminium panels contrast with the traditional use of brick and stone which characterised Store Street in the 19th century.

The new building would read be prominent but would not diminish the architectural and historic interest of the aqueduct, whose significance derives from its innovative design and distinctive skewed form.

Whilst the development would change the townscape composition, the overall impact upon the built historic environment from viewpoint 1 would be negligible adverse.



**Viewpoint 2 Store Street (west) (users of Store Street)**

The view provides some context of the central Piccadilly area, notably Oxygen at the junction of Store Street and Great Ancoats Street and development and regeneration Piccadilly Basin. The Grade II listed London Warehouse is to the left, forming a distinct and robust historical landmark from an elevated point.

The vacant site is to the far right .Currently a sloping, cleared embankment, with no historic character it has a negative visual impact upon the setting of the Grade II\*

aqueduct. There is potential to develop the site and reinstate the street context which is incoherent and lacks definition.

The proposal would be located at mid-distance and at moderate scale, forming a to the view adjacent to the Viaduct. The proposal would be viewed in the context of a varied townscape scale including Oxygen and Islington Wharf. It would create a transition between the lower residential buildings and taller towers and its impact would be moderate/ minor.

The development would be viewed in conjunction with the Grade II\* Aqueduct, which terminates views to the centre of Store Street. It would reinstate the historic building line defined by a 19th century Packing Case Manufactory. The new frontage would enhance connectivity around the area and improve the setting of the Grade II\* listed aqueduct, which at present, lacks built form and context.

The proposal would be a landmark, contrasting in scale and height to the built form of the area. Its height and scale would be a dominant new element in the immediate setting of the aqueduct.

The development would change the townscape considerably but its impact on the built historic environment from Viewpoint 2 would be negligible adverse. This adverse impact would however be offset by the enhancements at street level.



**Viewpoint 3: Ashton Canal Tow Path (near Aqueduct) (users of canal towpath)**

The 19th industrial character of the canal has changed following the demolition of the manufacturing works and other warehouses. The area is now an enclosed, residential complex with an historic waterway. The view illustrates the enclosed and secluded character of the canal but doesn't include a clear view of the Grade II\* aqueduct, which are better appreciated at street level.

The proposal would be relatively close and therefore at large scale. It would be partially visible with the upper stories forming a visible and prominent change above

Piccadilly Village. Although its scale contrasts with the lower residential buildings of Piccadilly Village and would be a contemporary development in the context of the Viaduct, its scale relates to other tall buildings that form the city centre backdrop including 111 Piccadilly and City Tower, and the proposal contributes to the local identity and distinctiveness of this area viewed from the canal towpath. The impact on visual amenity would be major /moderate.

The development would be highly visible to the east side of Store Street, It would be viewed in conjunction with the Grade II\* Listed aqueduct, which terminates views to the centre of Store Street. It would reinstate the historic building line and enhance connectivity around the heritage asset and improve its setting.

The building would be a distinctive landmark which contrasts with the areas built form and would be a dominant element in the immediate setting of the aqueduct. It would change the townscape considerably but impact on the built historic environment would be negligible adverse. This would be offset by the enhancements at street level.

The proposal would rise above and create a notable contrast to the domestic height and scale of existing buildings which make a positive contribution to the canal's historic character. Piccadilly Village has a distinct character, but the development would not impact on the setting of any designated heritage assets in the view.

The special architectural and historic interest of the Grade II\* Listed Store Street aqueduct is best understood and appreciated at street level. Despite its height and scale, the impact on the built historic environment would be neutral.



**Viewpoint 4: Ducie Street (users of Ducie Street)**

The immediate streetscape setting of the listed buildings contributes positively to their significance but cleared land to the rear detracts from this. A number of historic buildings in the area have been redeveloped (such as the Grade II Ducie Street Warehouse) and new buildings have transformed the character of the townscape, including the Dakota Hotel and La Reserve Aparthotel at Ducie Street.

The proposal would be close with the mid and upper storeys forming a visible and prominent change to the view. There would be a distinct material contrast between its cladding and the red-brick townscape. The proposal would be a landmark that has a moderate impact on visual amenity.

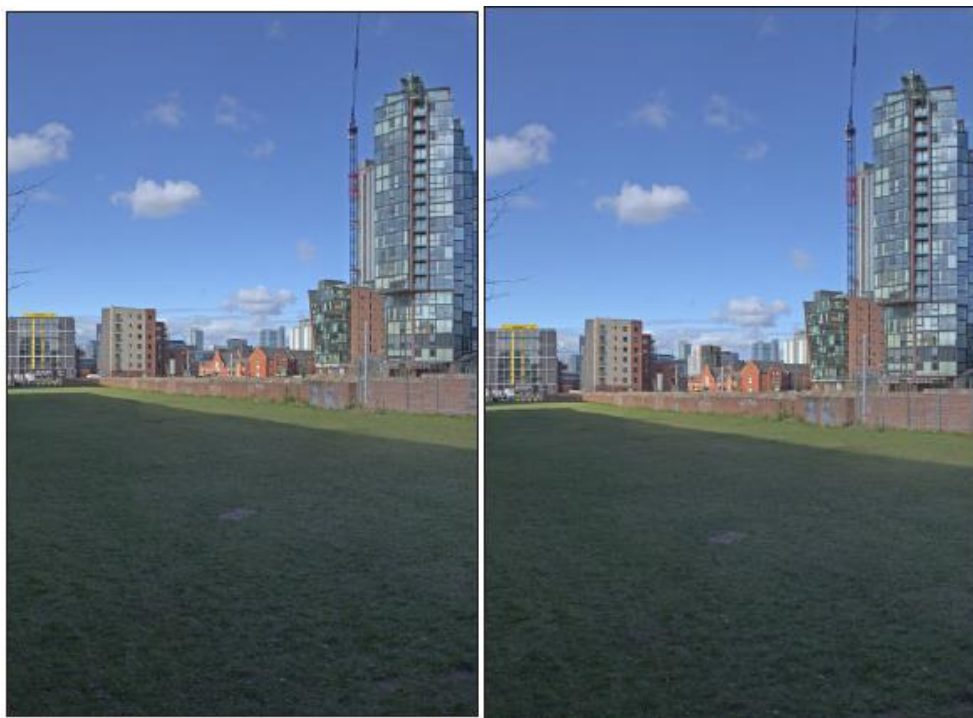
Its height would contrast with the coherent character of the listed buildings in the foreground. It would change the view considerably but its impact on the ability to understand and appreciate the significance of the heritage assets would be minor. The proposals would have a minor adverse impact on the historic environment.



**Viewpoint 5: Dale Street (near Dale St Warehouse)**

The proposal would not be visible from this viewpoint.





**Viewpoint 6: Pollard Street (users of Pollard Street)**

The Grade II listed Cooperative warehouse (Albion Works) on the left is a dominant street wall to the east side of Pollard Street. The symmetrical window arrangement and low-rise boundary wall enhance its presence in the streetscape, which was historically characterised by a number of industrial warehouses.

The undesignated Vulcan Mill and the Cooperative Warehouse are all that survive from the 19th century-built form. Islington Wharf has changed substantially with modern apartment buildings which form a contemporary backdrop and illustrate regeneration and evolution in the area.

The proposal would be located at mid to longer distance, in the context of large scale buildings and townscape, and at relatively moderate scale, forming a noticeable but relatively small change to the city centre skyline. Its scale is accommodated in the view since, alongside taller buildings, and it does not increase the height of the roofline. There would be minor impact on visual amenity.

It would not intrude on the ability to understand or appreciate the special architectural and historic interest of the listed building in the foreground of the view or its setting.

Therefore, its visual impact on the settings of the designated heritage assets in the view would be neutral as it would not diminish the appreciation of any individual heritage asset from this perspective.



**Viewpoint 7: Old Mill Street (users of Old Mill Street)**

The view illustrates the changing context of the settings to listed buildings closest to the site, including the Grade II 32 and 34 Laystall Street and the collection of Grade II listed buildings at Ducie Street, which were historically defined by industrial mill buildings and expansive canal networks.

The proposal would be at mid to longer distance, in the context of large scale buildings and therefore at relatively small scale. It would be a noticeable but relatively small change to the view. Its scale is accommodated in the varied townscape, alongside taller buildings. It would not increase the height of the roofline and would have a minor impact.

The contemporary proposal responds to the increasingly modern character of this part of the city centre both with regards to scale and materiality. It would not impact on any designated heritage assets and would have a neutral impact.



**Viewpoint 8: Great Ancoats (Users of canal towpath)**

Almost all of the proposed development will be screened behind the foreground Urban Exchange Retail Park buildings, with only parts of the upper floor of the proposed development visible above the intervening roofline and resulting in a negligible influence on the view. There would be minor impact on visual amenity.

The Proposed Development would result in imperceptible change from this particular point within the townscape and would not impede on the significant complex of mill buildings which define the Ancoats Conservation Area. The proposals would, consequently, result in a neutral impact on the built historic environment from Viewpoint 8.





#### **Viewpoint 9: Sheffield Street (Users of Sheffield Street)**

The view illustrates the immediate setting of the Grade II listed train shed and undercroft at Piccadilly Station, which is eclipsed from view to the rear. Whilst this is not currently a well-developed area, the station is a key nodal point and is due to be regenerated in line with the Piccadilly Basin SRF.

The proposal would be located at mid-range distance but is only partially visible, with the upper stories forming a visible and apparent change above the 5 storey residential buildings. It is higher than the residential buildings, but the change would not be significant and its impact minor. It would be read as a contemporary addition to the skyline in the middle distance and whilst it would be visible, it would not intrude on the setting of the Grade II listed train shed and undercroft at the Station. The visual impact on its settings would be neutral as it would not diminish the appreciation of any individual heritage asset.

Any adverse impact, on heritage assets would be mitigated by the enhancement of the pedestrian environment at Store Street. The development would create active frontages and introduce a sense of place and a welcoming environment within the immediate setting of the Grade II\* listed structure.

#### **Consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets**

Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning

permission for proposals that affect it. Section 72 of the Act requires members to give special consideration and considerable weight to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it. Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Of particular relevance to the consideration of this application are sections 189, 197, 199, 200 and 202.

Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance.

The NPPF (paragraph 199) notes that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation whether any harm would be substantial, total loss or less than substantial. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly justified.

In terms of heritage impacts overall there would be 2 instances of Minor Adverse impacts (Stable block to the south east of Junction Works, 40 Ducie Street) all other impacts including on the 2 conservation areas would be negligible adverse (2) and neutral (10). The instances of Minor Adverse harm are considered to be less than substantial. The proposal would (in respect of these assets) meet the objectives of Paragraphs 197, 199 and 202 of the NPPF and the requirements of s.66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

Paragraph 202 of the NPPF states that less than substantial harm, should be weighed against the public benefits of a proposal including, where appropriate, securing the optimum viable use of a heritage asset. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7). The harm is considered necessary to secure the site's wider potential in urban design terms.

Whilst outlined in detail elsewhere in this report of the public benefits of the proposals these would include:

- Improving the quality of the local environment through the improvements to the streetscape;
- Putting a site, which overall has a negative effect on the townscape value, back into viable, active use;
- Establishing a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the City Centre;

- Optimising the potential of the Site to accommodate and sustain an appropriate mix of uses, providing a use which would complement and support the regeneration of the HS2 SRF Area;
- Contributing to sustained economic growth;
- Providing equal access arrangements for all into the building;
- Responding to the local character and historical development of the City Centre, delivering a contemporary design which reflects and complements the neighbouring heritage assets and local context;
- Deliver a sustainable development with good access to shops, services and transport, close to Metrolink and Piccadilly Station and bus links;
- Supporting the creation of strong, vibrant and healthy communities by providing a high-quality homes with amenity space; and Increasing activity at street level through the creation of an 'active' ground floor providing overlooking, natural surveillance and increasing feelings of security within the city centre.

The benefits of the proposal would outweigh the level of harm caused to the affected heritage assets, and are consistent with the paragraphs 197, 199 and 202 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement

### **Architectural Quality**

The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures. Developments of this scale should be an exceptional and well considered urban design response.

The quality of the detail, including window recesses and interfaces between the different components are key to creating a successful scheme. There are a variety of materials and building styles in the area with small-scale brick industrial buildings to new build homes and more contemporary buildings in corten steel and metal cladding. The anodised panels are high quality and durable. They have been chosen to respond to different lighting conditions adding depth, and richness and interest to the facade.

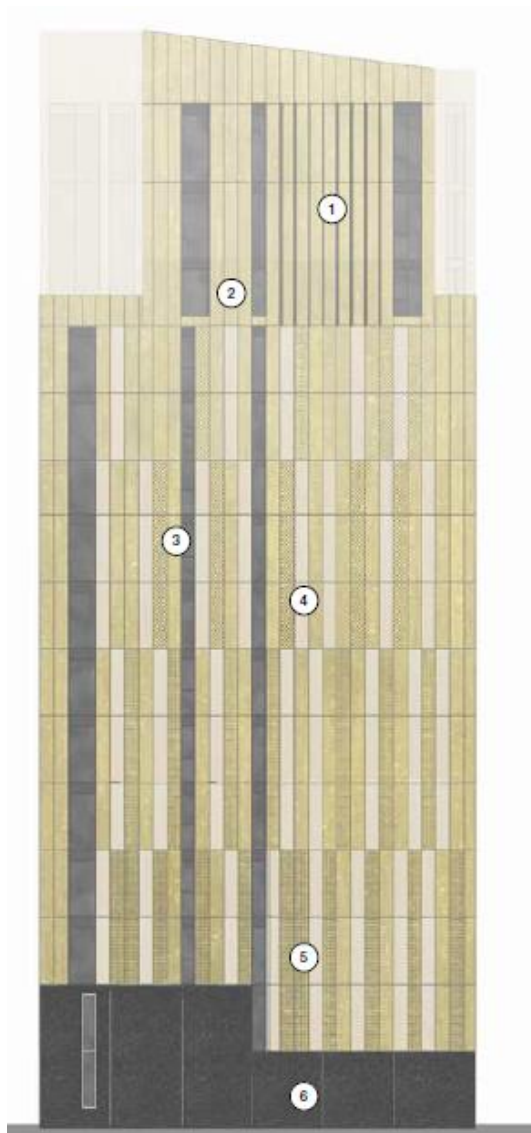
The architectural form and expression contrasts with other tall buildings in the city. The metal panels with variety of complementary tones and finishes would give the building a twisting effect and accentuate its form.



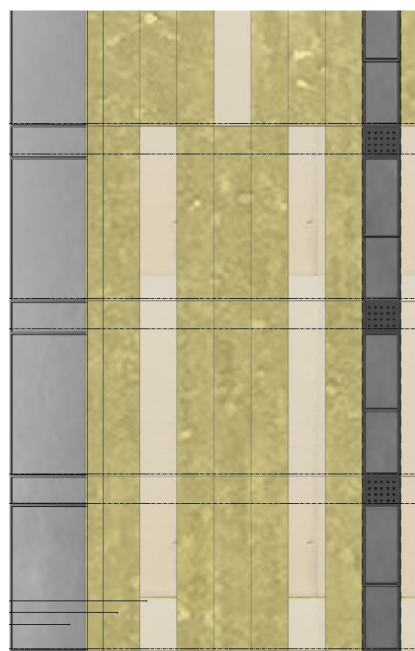
The uppermost floors comprise solid coloured panels. Below this, the panel stacking arrangement has a 2-3 storey order, with an increase in the frequency of the gold on the uppermost floors. The change in design at the upper level is further accentuated by a reduction in the frequency and size of the perforations. Expressed metal fins differentiate the crown from the main body and add depth to the facade and cast shadows across the top of the building throughout the day.

Fins add depth and varying shadow to the ground and first floor elevations as the sun moves around the building. A glazed opening activates the street and provides a clear, human scale entrance. The first floor terrace and glazing would contribute to activity on Store Street and a window for the concierge would add further interest and activity. Large windows would provide light living spaces. Perforated vent panels would cover the ventilation louvres.

It is considered that with the right detailing and quality control mechanisms in place, which can be controlled by a condition, the materials are appropriate and would deliver a high quality design.



1. Expressed metal fins differentiate the crown from the main body of the proposal. These will add depth to the facade, and cast dynamic shadows across the top of the building throughout the day.
2. The uppermost floors are comprised of solid coloured panels, giving an elegant top to the building. It is here that the building's mass is most expressive, so a single gold-coloured cladding won't detract from the purity of the form.
3. 2-3 storey stacked panels allow the shifting look to be read clearly, whilst working with the massing and setbacks to the upper floor terraces.
4. A subtle, one panel wide horizontal shift up the facade gives a gentle but recognisable twist to the building, complementing the dynamism of the form and mass.
5. Perforations decrease in size and density from the lower to the upper floors. This further accentuates the purity of the uppermost floors, whilst reinforcing the twisting effect on the lower floors.
6. A solid base grounds the building, with a dark reconstituted stone finish complementing the metal panels above.





The building layout would animate the street and improve its quality. The design would add to the quality of the locality and enhance legibility.

**Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment (including Age Friendly Provision):**

This development and active frontage onto Store Street would enhance connections from Piccadilly Station to Ancoats and New Islington. Its height would aid navigation and improve this strategic route. Improvements to the pedestrian environment would improve legibility and linkages to adjacent areas. The scheme would provide passive security on Store St and improve safety and help to revitalise the area.

Ground penetrating radar survey investigations have established that it would not be feasible to provide street trees in the pavement outside the proposal.

**Credibility of the Design**

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the design, procurement and construction process. The design and technical team recognise the high profile nature of the proposal. The design team is familiar with the issues associated with high quality development in city centre locations, with a track record and capability to deliver a project of the right quality.

**Relationship to Transport Infrastructure and cycle parking provision**

The site is close to all sustainable transport modes including trains, trams and buses. The site has a Greater Manchester Accessibility Level (GMAL) of 8 indicating a very high level of accessibility. Residents would be able to walk to jobs and facilities in the City Centre.

There are bus stops on Piccadilly and Great Ancoats Street and Piccadilly Gardens bus interchange is nearby. The site is adjacent to Piccadilly station.

There are 17 parking bays on Store Street between the aqueduct and the railway bridge, including two Electric Vehicle charging points outside the site. These could also be used for free by Blue Badge holders. There are multi storey car parks nearby and leaseholds can be arranged for contract spaces. The nearest is a minutes' walk away. There are 9 car parks within a 10 minute walk. The nearest car park with dedicated parking spaces for disabled people is at Piccadilly Station with 21 spaces (150m from the site) which could be available on a contract basis.

The nearest Car Club bays are 5 and 7 minutes away. A Car Club Bay would be created on Store Street. The Travel Plan would make residents aware of sustainable options. The Transport Statement concludes that the overall impact on the local transport network would be minimal. The 54 secure cycle spaces is 100% provision. There would be 3 covered cycle stands at the site for visitors.

Drop off, servicing and loading would be from kerbside on Store Street Conditions would require a service management strategy and off-site highways works, including

pavement reinstatements and finishes. The Head of Highways has no objections on this basis and no concerns about adverse impacts from any traffic generated by the development.

### **Sustainability / Climate Change: Building Design and Performance (operational and embodied carbon)**

There is an economic, social and environmental imperative to improve the energy efficiency of buildings. Larger buildings should attain high standards of sustainability because of their high profile and impact. The energy strategy responds to the City's Climate Emergency declaration and has set out how the scheme contributes to Net Zero Carbon targets through operational and embodied carbon.

An Environmental Standards assessment of physical, environmental, social and, economic effects in relation to sustainability objectives sets out measures that could be incorporated across the lifecycle of the development to ensure high levels of performance and long-term viability and ensure compliance with planning policy. Energy use would be minimised through good design in line with the Energy Hierarchy to improve the efficiency of the fabric and use passive servicing methods.

#### **Operational Carbon**

The Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions. Part L has been superseded by Part L 2013 which has more stringent energy requirements. The 15% requirements translate as a 9% improvement over Part L 2013 and the proposal would exceed this target (9.4%).

The energy strategy includes roof top PV's and Air Source Heat Pump hot water provision. Heating would be via all electric panel heaters. The infrastructure would allow the scheme to become zero carbon as the grid decarbonises. Utilising an air source heat pump for the hot water generation is up to 3 times more efficient, when compared with immersion heaters

The following efficiency measures would be included to reduce heat losses and minimise energy demand:

- Passive design to deliver improvements in thermal performance and air tightness (managing uncontrolled ventilation);
- Reduced Standing Losses from Pipes and Cylinders;
- Increased Hot Water Generating Efficiencies;
- Energy Efficient LED Lighting;
- Low Energy Motors in Pumps and Fans;
- Efficient Heat Recovery in relevant systems and,
- Enhanced heating controls

#### **Building Location and Operation of Development (excluding direct CO2 emission reduction) and Climate Change Adaptation and Mitigation**

Features associated with the development which would contribute to achieving overall sustainability objectives include:



- A highly sustainable location and development of a brownfield site should reduce its impact on the environment;
- The homes would be designed to reduce mains/potable water consumption and include water efficient devices and equipment;
- Recycling facilities would divert material from landfill and reduce the carbon footprint further;

#### Embodied Carbon: Sustainable Construction Practices and Circular Economy

A net zero carbon built environment means addressing all construction, operation and demolition impacts to decarbonise the built environment value chain. Embodied carbon is a relatively new indicator and the availability of accurate data on the carbon cost of materials and systems is evolving.

The development is being designed with a focus on how the materials may be retained or reused to ensure the maximum benefit from their use is delivered and this will include specifying sustainable forms of construction together with Modern Methods of Construction to reduce waste, this will be detailed further at the next design stage.

The façade design maximises opportunities for offsite fabrication and modulation. A panel system with mechanical fixings would allow panels to be easily removed, undamaged, and reused or recycled at the end of the buildings life cycle. Prefabrication and minimising bespoke panel sizes and shapes reduces wastage and reduces construction time and embodied carbon of the construction process.

The proposal would make a positive contribution to the City's objectives and is, subject to the ongoing decarbonisation of the grid is capable of becoming Net Zero Carbon in the medium to long term whilst achieving significant CO2 reductions in the short term.

#### CABE/ English Heritage Guidance on Tall Buildings

##### **Effect on the Local Environment/ Amenity**

This examines the impact that the scheme would have on nearby and adjoining occupiers and includes the consideration of issues such as impact on microclimate, daylight, sunlight and overshadowing, air quality, noise and vibration, construction, operations and TV reception.

##### Daylight, Sunlight and Overshadowing

The nature of high density City Centre development means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in a manner appropriate to their context

An assessment of daylight, sunlight and overshadowing has used specialist software to measure the amount of daylight and sunlight available to windows in neighbouring buildings. The assessment made reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011). This assessment is not mandatory but is generally accepted as the industry standard and helps local planning authorities consider these impacts. The guidance does not have 'set' targets and is intended to be interpreted flexibly. It acknowledges that

there is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of light to buildings can be inevitable.

Properties at Wharf Close, Thomas Telford Basin (19-40) and 37 Chapeltown Street (Blocks A & B) have been identified as affected in terms of daylight and sunlight.



**Properties potentially affected by sunlight and daylight**

Other residential properties have been scoped out due to the distance and orientation from the site. The BRE Guidelines suggest that residential properties have the highest requirement for daylight and sunlight and states that the guidelines are intended for use for rooms where natural light is required, including living rooms, kitchens and bedrooms.

The Sunlight and Daylight Assessment has set out the current site condition VSC levels (including impacts from adjacent approved schemes) and how the proposal would perform against the BRE VSC and NSL targets.

### Daylight Impacts

The Guidelines provide methodologies for daylight assessment. The 2 tests (as set out in the Guidelines) relevant to a development of this nature are VSC (vertical sky component) and NSL (no sky line).

VSC considers how much Daylight can be received at the face of a window by measuring the percentage that is visible from its centre. The less sky that can be seen means less daylight is available. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27%.

The guidance also states that internal daylight distribution is also measured as VSC does not take into account window size. This measurement NSL (or DD) assesses how light is cast into a room by examining the parts of the room where there would be a direct sky view. Daylight may be adversely affected if, after the development, the area in a room which can receive direct skylight is reduced to less than 0.8 times its former value. A resident would notice any reduction below this. The NSL test assess daylight levels within a whole room rather than just that reaching an individual window and more accurately reflects daylight loss.

VSC diminishes rapidly as building heights increase relative to the distance of separation. As such, the adoption of the 'standard target values' is not the norm in a city centre and the BRE Guide recognises that different targets may be appropriate. It acknowledges that if a building stands close to a common boundary, a higher degree of obstruction may be unavoidable and is common in urban locations.

The Guidance acknowledges that in a City Centre, or an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

### Sunlight Impacts

For Sunlight, the BRE Guide should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. The BRE guide states that sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March; receives less than 0.8 times its former sunlight hours during either period; and, has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours (APSH).

A scheme would be considered to comply with the advice if the base line values and those proposed are within 0.8 times of each other as an occupier would not be able to notice a reduction of this magnitude. The requirements for minimum levels of sunlight are only applicable to living areas.

### BRE Targets

The Guidance states that a reduction of VSC to a window of more than 20% or of NSL by 20% does not necessarily mean that the room would be left inadequately lit, but there is a greater chance that the reduction in daylight would be more apparent. Under the Guidance, a scheme would comply, if figures achieved are within 0.8 times of baseline figures. Similarly, winter targets of APSH of 4% and an annual APSH of 20% are considered to be acceptable levels of tolerance. For the purposes of the sensitivity analysis, these values are a measure against which a noticeable reduction in daylight and sunlight would be discernible and are referred to as the BRE Alternative Targets (BRE Target within the Sunlight And Daylight Report submitted

with the application). The impacts of the development within this context are set out below.

## Baseline

All impacts considered have been assessed against the baseline of a cleared site

## Daylight Impacts

With the development in place and the results weighted to allow for the 20% reduction which would not be noticeable, the impact would be:

Wharf Close - 14/43 (33%) of windows would meet the BRE VSC Alternative target and 38/43 (88%) of the rooms would meet the NSL Alternative target. 2 rooms would achieve levels of 31.3 and 33.3 (both moderate impact) respectively against the 20% alternative target and the remaining 3 would be 22, 22.2 and 22.3% (all minor impact).

Thomas Telford Basin – 51/76 (67%) of windows would meet the BRE VSC Alternative Target and 48/49 (98%) of the rooms would meet with the BRE NSL Alternative target.

37 Chapeltown Street – 46/72 (64%) of windows would meet the BRE VSC Alternative Target and 34/43 (79%) of the rooms would meet with the BRE NSL Alternative target. Performance against the 20% alternative target would be 20.7, 22 (2 rooms) 22.8, 28.1 (all minor impacts) and 35, 35.5, 38.6 and 39 % (all moderate impacts).

Appendix F of the BRE Guide states that alternative targets may be generated from the layout dimensions of an existing development, or they may be derived from considering the internal layout and daylighting needs of the proposal itself. Sometimes there may be an extant planning permission, but the developer wants to change the design and quantify the level of change compared with that which has previously been accepted. In assessing the loss of light to existing windows, a local authority may allow the targets for the permitted scheme to be used as alternative benchmarks.

A comparison using the previously approved 13 storey massing has assessed whether the windows or rooms would receive more, the same or not noticeably less daylight or sunlight with the proposal in place compared with the SRF option.

Wharf Close - 12/43 (28%) of windows would meet the BRE VSC Alternative Target and 32/43 (74%) of the rooms would meet with the BRE NSL Alternative Target.

36 windows and 33 rooms in Wharf Close would have more daylight with the proposal in place than if the 13-storey consent had been constructed. Two rooms would have more sunlight. All the daylight levels in Wharf Close would be the same or perform better against the BRE Alternative Target figure with the proposal in place than they would be with the 13 consented scheme.

Thomas Telford Basin – 65/76 (86%) of windows would meet the BRE VSC Alternative Target and 43/52 (83%) of the rooms would meet with the BRE NSL Alternative Target.

One window and 11 rooms would have more daylight with the proposal in place rather than the 13 consented scheme. Except for four bedroom windows, all the daylight levels in Thomas Telford would be the same or perform better against the BRE Alternative Target with the proposal in place rather than the consented scheme. Whilst there will be impact from both developments, the difference in impact would only be perceptible to four bedroom windows.

37 Chapeltown Street – 49/72 (68%) of windows would meet the BRE VSC Alternative Target and 37/43 (86%) of the rooms would meet with the BRE NSL Alternative Target.

At Chapeltown Street, seven windows and 19 rooms would have more daylight with the proposal in place as opposed the consented scheme. Except for one room on the ground floor, all the daylight levels would be the same, or perform better against the BRE Alternative Target.

Changes to the massing, footprint and orientation of the scheme mean that notwithstanding the increase in height, the impact of the proposal is very similar to the 13-storey consent and in some cases the overall impact from the proposal would be less. 44 windows and 63 rooms would receive more daylight as a result of the proposal compared with the 13-storey consent.

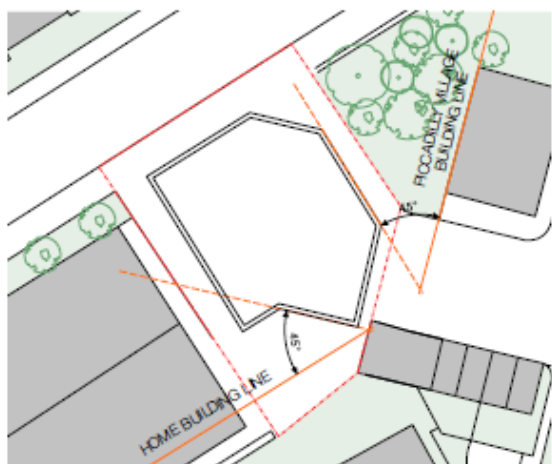
There would be reductions against the baseline site conditions for some residents within Wharf Close, Thomas Telford Basin and 37 Chapeltown Street. However, some impact is inevitable if the site is to be redeveloped to a scale appropriate to its city centre location.

### Sunlight Impacts

With the development in place and the results weighted to allow for the 20% reduction which would not be noticeable, all relevant rooms (Wharf Close, Thomas Telford Basin and 37 Chapeltown Street) would achieve both the 25% annual and 5% winter APSH targets with the proposed development in place. This mirrors the results against the previous 13 storey consent such that there is no additional impact from the revised proposals. This good level of compliance with the APSH target and the perception of change would be minimal.

The impact on the daylight and sunlight received by some residents of Wharf Close, Thomas Telford Basin and 37 Chapeltown Street are important. However, some impact is inevitable if the site is to be redeveloped to a scale appropriate to its city centre location. Within that context, the surrounding properties would continue to exhibit good levels of daylight and sunlight with the proposal in place. The following is also important:





**Illustration of angle of vision**



**Oxygen Millbank Street as illustration of distances**

Smaller separation distances between buildings is characteristic of the City Centre. The building would be 16m from the façade of Block A at 37 Chapeltown Street. The previously approved scheme was 1.2m closer. The closest windows at 15.5m have been angled at 45° to mitigate the risk of overlooking habitable rooms. There are no perpendicular windows to the south eastern facade, and the larger window is located approximately 18m and at a 45° angle from the Block.

The nearest habitable room window at the Piccadilly Village apartment building to the north east would be 13.8m from this proposal. The topography of the site and the series of significant trees to the west of the Piccadilly Village building would provide further cover and screening to mitigate the risk of overlooking.

The remaining Piccadilly Village building is 25m away, exceeding the distance between the buildings on Millbank Street.

The proposal has set further back from this boundary to offer greater space to any on the industrial unit site. The previously approved scheme was also around 1.7m closer to the south western site boundary and the adjacent industrial unit.

#### Solar Glare and Light Reflection from Materials

There are two types of glare: disability glare, which is a safety issue and has been scoped out as not applicable to this development; and discomfort glare, which includes solar reflections impacting adjacent buildings. Discomfort glare does not impair the ability to see. Whilst it can be important where work involves continuous viewing of the outdoor space from a fixed vantage point. This would be typical of the site's urban location and could occur with any redevelopment proposal that includes glazing. It can generally be managed by using blinds or curtains when it occurs. For these reasons, residential uses are classified as having low-sensitivity any impact on residential amenity is not expected to be significant and does not require assessment.

The cladding proposed is anodised which has a matte finish, meaning it is naturally less reflective, than glass, for example.



## Wind

Changes to the wind environment can impact on how comfortable and safe the public realm is. If changes cannot be designed out, they should be minimised by mitigation measures. A Wind Microclimate report focused on the impact on people using the site and the surrounding area. This has been modelled using high resolution Computational Fluid Dynamics which simulates the effect of wind and is an acceptable industry standard alternative to wind tunnel testing. This was combined with adjusted meteorological data from Manchester Airport to obtain annual and seasonal frequency and magnitude of wind speeds across the model.

The potential impacts were modelled within a 400m radius of the site (which is the UK industry standard for capturing local features which might be affected by the development). All of the scenarios included in the assessment were 360 deg full rotations, gusts were accounted for using the standard gust-equivalent-mean method, and results were reported for both windiest season (to capture worst case conditions) and summer (when the highest level of pedestrian activity would be expected).

The assessment used the Lawson Comfort Criteria, which seek to define the reaction of an average pedestrian to the wind. Trees and soft landscaping have not been included in the model, to ensure that conditions represent a reasonable worst-case scenario. Planning consented schemes within 400m radius of the site were included in the study

Potential impacts would be on people using the pavements adjacent to the development and use of outdoor facilities by residents. All are considered to be highly sensitivity to strong winds, as these can pose a risk to safety.

There would be no exceedances at ground level anywhere in the site of surrounding area or on any of the building terraces. All ground level comfort conditions would be suitable for their intended use. The level 1 north, level 2 and level 13 north terraces would be suitable for occasional use but may require local mitigation measures such as baffles or planting if they are to be used as long term dwell spaces.

## Air quality

An air quality assessment (AQA) has considered whether the proposal would change air quality during the construction and operational phases. The site is in an Air Quality Management Area (AQMA) where air quality is known to be poor because of emissions from surrounding roads. As such, residents could experience poor air quality and vehicles travelling to and from the site could increase pollution levels in this sensitive area.

The AQA confirms that mitigation measures are required during construction to minimise dust impacts. Good on site practices would ensure dust and air quality impacts are not significant. This should remain in place for the duration of the construction period and should be the subject of a condition.

In terms of embedded mitigation, the premises would have air tight windows and mechanical ventilation.

The impacts on air quality once complete would be negligible. Pollutant concentrations at the façades would be within the relevant health-based air quality objectives and residents would be exposed to acceptable air quality and the site is deemed suitable for homes.

54 cycle spaces are proposed and an Interim Travel Plan includes measures that promote the use of sustainable transport modes. These measures would contribute to reducing reliance on the private car and limit impacts on air quality.

### Noise and Vibration

Whilst the principle of the proposal is acceptable, the impact of noise on adjacent occupiers needs to be considered. A Noise Report concludes that with appropriate acoustic design and mitigation (acoustic trickle vents or MVHR), the internal noise levels would be acceptable. The level of noise and mitigation measures required for any externally mounted plant and ventilation should be a condition. Access for deliveries and service vehicles would be restricted to daytime hours to mitigate any impact on adjacent homes.

During operational the proposal would not produce significant noise levels or vibration. Disruption could arise during construction. The applicant and their contractors would work and engage with the local authority and local communities to seek to minimise this. A Construction Management Plan should be a condition and would provide details of mitigation methods. Construction noise levels have been estimated based on worst case assumptions to be of moderate temporary adverse effect. Following mitigation construction noise is not likely to be significant. Acceptable internal noise levels can be achieved with standard thermal glazing.

A condition can limit access to the communal terrace at night time and on site staff will be on duty during the day and night to manage the area. Any nuisance created on the private terraces cannot be policed by the planning system.

### Telecommunications (TV and Radio reception and Broadband provision)

A Baseline TV and Radio Impact Assessment has been prepared based on technical modelling in accordance with published guidance to determine the potential effects on television and radio broadcast services. The proposal may cause minor short-term interference to digital satellite television reception in localised areas, but mitigation would quickly restore the reception of affected television services, leaving no long-term adverse effects.

The location of the site is such that it is 'high speed' ready with the infrastructure is in place for the development to be connected into robust and future proof broadband.

### **Conclusions in relation to CABA and English Heritage Guidance and Impacts on the Local Environment.**

On balance, the proposal would meet the requirements of the CABE and EH guidance and the core strategy policy on Tall Buildings. .

**Archaeological issues** - GMAAS believe that there could be below ground remains. They recommend targeted archaeological excavation, followed if appropriate by more detailed and open area excavation, to inform the understanding of the potential and significance. The investigations could be secured through a condition.

**Crime and Disorder** -The increased footfall, additional residents and the improvements to lighting would improve security and surveillance. Greater Manchester Police have provided a crime impact assessment and the scheme should achieve Secured by Design accreditation. A condition is recommended.

**Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS)** - An Ecology Report concludes that none of the habitats at the site are of significant interest in terms of their plant species. Self-seeded trees have previously been removed and had no statutory protection. One tree remains to the south of the site.

As stems and branches had been left on site experienced surveyors were able to provide a reasonable assessment of the habitats present prior to the recent felling from their vegetative characteristics. None of the habitats present, or were present, are representative of semi-natural habitat. The trees and scrub would have been of 'local' value in terms of their geographical context, as they would have provided structural diversity and habitat for nesting birds. The site does not support Priority Habitat, or that the trees and scrub present prior to the felling operations would have been representative of a Priority Habitat.

No statutory or non-statutory protected sites lie on the site or immediately adjacent to its boundary. The site is 20 metres to the south-west of Ashton Canal Site of Biological Importance (SBI), designated for its importance as a wildlife corridor and for its important accessible natural greenspace in an otherwise urban landscape. Canals are a Greater Manchester Biodiversity Habitat. Rochdale Canal: Stott's Lane to Ducie Street Basin SBI is located 180 metres to the north and is designated for its artificial manmade habitats and the aquatic plant species it supports.

A Phase 1 Habitat Survey provides an overview of the habitats and assesses any potential protected species issues. It considers the site is sufficiently small and distant from all statutory designated nature conservation sites that the proposal would not impact upon them. No features suitable for use by roosting bats was detected at the tree within the site and the presence of roosting bats can be reasonably discounted.

The height of the proposal could create impacts from increased artificial lighting on the Ashton Canal (West) SBI, which could create negative effects on its suitability as a wildlife corridor and for foraging and commuting bats. A lighting scheme to mitigate against any potential detrimental impact is recommended and could be secured through a condition.

An assessment of the potential of the proposal to cause additional shading on the Ashton Canal SBI and create negative effects on aquatic plant species concludes that such impacts can be reasonably discounted.

Green roofs have been specified which would increase biodiversity and the applicants have committed to maximising the extent of these during detailed design. There are recommendations in the Ecology Report regarding enhancements that could be included to improve biodiversity and the applicants have confirmed that this would include House sparrow nesting terraces around the external car park area and on the roof, two Black Redstart boxes with potential to include a foraging habitat on a flat roof area (subject to structural capacity), a bee hive on the roof, or on the lower level green roof / boundary landscaped area to attract solitary bees and other pollinating invertebrates. The planting schemes for the green roof and accessible terrace areas would consider species known to attract pollinators such as bumblebees and butterflies. The final details can be secured through a condition.

**Waste, Recycling and Servicing** - The refuse store has been sized in line with 'GD 04 Waste Storage and Collection Guidance for New Developments. The collection strategy would be part of the Resident Management Strategy which would be a planning condition. Waste would be sorted into containers in the homes which residents take to the ground floor storage area and would be collected weekly by MCC.

**Flood Risk, Drainage Strategy** - The site is in Flood zone 1 and is low risk site for flooding. It is in the Core Critical Drainage Area in the Council Strategic Flood Risk Assessment and requires a 50% reduction in surface water run-off as part of brownfield development. The Ashton Canal is 30m to the north east.

The use is appropriate and conditions should require the implementation and maintenance of a sustainable drainage system. The site is undeveloped and considered to be a greenfield site for drainage design. SUDS would be managed through attenuation storage in ground tanks with a flow control device. Flow rates would be aligned with the betterment requirements for the SRFA. The underlying soil is predominantly clay with low levels of permeability which could prevent the use of Suds infiltration techniques, but this will be investigated further through a condition.

The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with policy principles.

**Contaminated Land** - A Phase I Ground Investigation has been prepared based on desktop / published sources. The site is in an urban environment where industrial activities have taken place. It is likely that there is a significant thickness of Made Ground from previous development. Elevated levels of contamination may be present in shallow soil and groundwater and it would be necessary to avoid contaminate migration pathways during piling works. The site is in an area indicated to be at risk from Unexploded Bombs (UXB's). A radar survey should be performed prior to any demolition works taking place, once the ground had been cleared sufficiently to enable safe working in the area and would be secured via a condition.

If ordinance is found, a specialist UXB team would assess next steps and draw up risk assessments for any continuing works which would be carried out in accordance with best practice guidance for the industry (CIRIA).

Further excavations and investigations are necessary. Mitigation may be required but with these in place, the site would present a low risk. A condition would require a full site investigation and remediation measures to be submitted and agreed.

**Accessibility/ Inclusive Access** - The design has sought to avoid discrimination regardless of disability, age or gender by, wherever possible going beyond the minimum requirements of Part M. This covers the access to and within the new building and associated public realm.

The homes could be adapted to meet the changing needs of occupants over time, including those of older and disabled people. All apartments and amenity spaces would be accessed via large passenger lifts which would exceed minimum standards. All primary circulation routes would have sufficiently clear widths to facilitate ease of movement for all users including wheelchairs and pushchairs. 6 (11%) of the apartments having the potential for upgrading to M4(2) Category 2: Accessible and adaptable dwellings and all are designed to be Part M (building regulations compliant) for visitors.

**Local Labour** - A condition would require The Council's Work and Skills team to agree the detailed form of the Local Labour Agreement.

**Construction Management** - Measures would be put in place to minimise the impact 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 can be mitigated to be minimal.

### **Summary of Climate Change Mitigation / Biodiversity enhancement**

Biodiversity and ecosystem services help us to adapt to and mitigate climate change and are a crucial to combat climate change. Healthy ecosystems are more resilient to climate change and better able to maintain the supply of ecosystem services on which our prosperity and wellbeing depend. The underlying principle of green infrastructure is that the same area of land can frequently offer multiple benefits if its ecosystems are healthy.

Green roofs have been specified, providing reduced rainwater runoff and urban cooling, as well as increased biodiversity. The external amenity spaces and other measures detailed above should improve biodiversity and enhance wildlife habitats that could link to established wildlife. Native planting would be investigated through conditions.

Developments must achieve a minimum 15% reduction in CO2 emissions (i.e. a 15% increase on Part L 2010). Since the Core Strategy was adopted, Part L 2010 has been superseded by Part L 2013 which has more stringent energy requirements. The 15% requirements translate as a 9% improvement over Part L 2013. The development would achieve 9.4%

It is expected that the majority of journeys would be by public transport and active modes, supporting the climate change and clean air policy. There would be no on site parking and the development would be highly accessible by sustainable transport. There would storage capacity for 57 cycle spaces.

The Framework Travel Plan (TP) sets out measures to reduce the transport and traffic impacts, including promoting public transport, walking and cycling and would discourage single occupancy car use.

Subject to conditions the proposals would include measures which can be feasibly incorporated to mitigate climate change for a development of this scale in this location. The proposal would have a good level of compliance with policies relation to CO2 reductions and biodiversity enhancement set out in the Core Strategy, the Zero Carbon Framework and the Climate Change and Low Emissions Plan and Green and Blue Infrastructure Strategy.

### **Social Value from the Development**

The proposal would support the creation of a strong, vibrant and healthy community. In particular, the proposal would:

- improve physical and mental health;
- promote regeneration;
- not harm the natural environment and would reduce carbon emissions;
- provide job opportunities for local people
- help to foster a sense of community by creating opportunities for people to come together communal areas;
- help to reduce crime through passive surveillance from the active ground floor uses and the overlooking from homes;
- improve legibility along Store Street providing stronger visual links to regeneration areas to the north and increase the attractiveness of routes within the HS2 SRF;
- provide access to services and facilities via sustainable transport, such as cycling and walking. The site is close to Metrolink, rail and bus links;
- not impact on the air quality, flood risk, noise or pollution and there will be no contamination impacts;
- not have a detrimental impact on protected species; and
- regenerate previously developed land with limited ecological value in a highly efficient manner

**Fire safety** - The HSE has not raised any concerns but has made a number of comments. 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. The issues raised in this instance are matters that should be addressed through building control and are not land use planning issues. The applicant has responded to these comments and 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 subsequent supplementary information will be a 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.

**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.

### **Objectors Comments**

These are largely addressed in the main body of the Report above however the following points should also be noted:

- The visualisations have been prepared to the recognised standard and provide an accurate representation of the proposals.
- The TVA includes two views on Store Street relatively near to Wharf Close; one to the east (View 1) and one to the west (View 2). View 4 on Ducie Street is close to Wharf Close. Views 2 and 4 show the scale of the proposal in comparison to Wharf Close and can be used in addition to the submitted drawings to understand the scale relationship with surrounding residential buildings of the Wharf Close and Piccadilly Village developments.
- There is no right to a view and loss of views are not protected by planning policy or guidance. It is not uncommon for adverse effects on views and visual amenity as a result of new development. Residential Visual Amenity is one component of 'Residential Amenity and are typically used in relation to wind energy proposals given the height and size of modern wind turbines. RVAA's of tall buildings in built up city centre environments are uncommon and would only be needed if the proposed development effected the outlook / visual amenity of a residential property to such a degree that it crossed a visual amenity threshold, to the extent that it may not be in the public interest to permit such conditions to occur.
- High density development within the City Centre is supported by policies within the Core Strategy.
- The proximity of the development ranges from 7.5m to 17.6m and it is only one corner (4 windows) of Thomas Telford Basin at a 7.5 m distance. These distances are not unusual in the City Centre and there would be no direct overlooking and in the case of the adjacent Thomas Telford Basin block there are trees between the site and the development site.



- The BRE assessment provides a useful starting point to assess daylight and sunlight impacts, the dense character of the City Centre generally means that most new residential development would not meet the BRE targets. Manchester has an identified housing need and the city centre is the most appropriate location for new development. It is necessary to take a balanced view on sunlight/daylight impacts and standard target values are not normally adopted in a city centre. If they were applied rigidly, little development would take place in city centres. Therefore, the BRE Guide suggests alternative target values, for use in city centres.
- The sunlight and daylight report has measured the impacts of a cleared site against the proposal. In line with the BRE Guidelines these impacts have been compared against the previously approved scheme to establish if the impacts from this scheme would result in greater or less impact as detailed above.
- Rights of light are a private matter.
- Highways consider that the proposal would not generate a significant increase in vehicular trips. Independent road safety audit raise no concerns regarding the loading bay/cycleway conflict issue raised by TfGM.
- The Statement of Community Involvement reflects guidance in the Council's Statement of Community Involvement (2018) and guidance set out within the NPPF. A range of communication methods were used to provide information and ensure that people had the opportunity to provide their feedback. Piccadilly ward members were contacted and a letter distributed to 758 nearby commercial and residential properties. A website, provided provided information. The Statement of Community involvement includes a section responding to all comments raised during the Consultation and where feasible / appropriate how the scheme has evolved to respond to those comments.

### **Comments in Response to Objection from Adjacent Landowner**

The applicant has engaged the adjacent owners on a number of occasions. This proposal appears to be more advanced than those at the adjacent site. It is not considered that this proposal would prejudice development coming forward on the adjacent site. This proposal incorporates a 3m set back to provide separation.

The proposal is set back 3 as opposed to 1.2 m in the consented scheme. The windows are generally narrow/'slot' windows to second bedrooms and therefore less significant in relation to sunlight/ daylight levels. Main living room windows have largely been avoided on the south-west elevation so that the adjacent site would not be unduly impacted. There is only one window on level 12 which serves living space on this elevation, but there are three other windows to the same space to the Store Street elevation.

The previously consented scheme had some larger windows to bedrooms and living space to each floor on this elevation. This proposal would create better separation and less and smaller windows.

## **Legal Agreement**

The proposal would be subject to a legal agreement under section 106 of the Planning Act to secure an initial contribution and appropriate reconciliation payment for offsite affordable housing through a further review at an agreed point with a mechanism to re-test the viability should there be a delay in the implementation of the proposal as explained in the paragraph with the heading 'Affordable Housing'

## **CONCLUSION**

Significant concerns have been raised by the local community about this development but those concerns have been fully addressed in this Report. 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. It would establish a sense of place, would be visually attractive, optimising the use of the site and would meet with the requirements of paragraph 130 of the NPPF

The 54 apartments would contribute positively to housing supply in the City and population growth in the area. One, two and bedroom homes would be created with ancillary amenity spaces. The development would make a positive addition to the city skyline delivering a form of development which would improve legibility and wayfinding along a key pedestrian route into the City Centre.

The removal of this long standing vacant site would be beneficial. The building would be of a high standard of sustainability and would be energy efficient and operate on an all-electric system offering the most suitable long terms solution to energy supply and carbon reductions. There would be a contribution to offsite affordable housing and a review of the viability at a later stage. Careful consideration has been given to the impact of the development on the local area (including residential properties) and it has been demonstrated that there would be no unduly harmful impacts on noise, traffic generation, air quality, water management, wind, solar glare, contamination or loss of daylight and sunlight. Where harm does arise, it can be appropriately mitigated, and would not amount to a reason to refuse this planning application.

The buildings and its facilities are fully accessible to all user groups. The waste can be managed and recycled in line with the waste hierarchy. Construction impacts can also be mitigated to minimise the effect on the local residents and businesses. There would be some localised impacts on adjacent listed buildings and structures with the level of harm being considered less than substantial and significantly outweighed by the substantial public benefits. 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 adjacent conservation area as required by virtue 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 189, 197, 199, 200 and 202 of the NPPF and that the harm is outweighed by the benefits of the development.

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

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

**Recommendation**      Minded to Approve subject to the signing of a section 106 agreement in relation to an initial off site affordable housing contribution, with a future review of the affordable housing position

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

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:

(a) Site Location Plans MP-00-0000, MP-00-0001, MP-00-2200 and MP-00-2201;

(b) Dwgs 05868 B102 2200 Rev H Proposed General Arrangement Plans - Ground Floor, 05868 B1 022201 Rev G Proposed General Arrangement Plans - First Floor, 05868 B1 02 2202 Rev F Proposed General Arrangement Plans - 2nd Floor, 05868 B1 02 2203 Rev 0 Proposed General Arrangement Plans - 3rd-13th Floor, 05868 B1 02 2214 Rev A Proposed General Arrangement Plans 14th, 15th & Roof

05868 B1 04 2201 Rev E Proposed Elevation - Elevation AA, 05868 B1 04 2202 Rev D Proposed Elevation - Elevation BB, 05868 B1 04 2203 Rev C Proposed Elevation - Elevation CC, 05868 B1 04 2204 Rev C Proposed Elevation - Elevation DD, 05868 B1 04 2205 Rev D Proposed Elevation - Elevation EE, 05868 B1 05 2201 Rev C Proposed Section - Section AA, 05868 B1 05 2202 Rev A Proposed Section - Section BB,

05868 B1 05 2203 Rev A Proposed Section - Section CC, 05868 MP 00 4201 Rev A Ground Floor Bay Study, 05868 MP 00 4202 Rev A Typical Floor Bay Study, 05868 MP 00 4203 Rev A Upper Floors Bay Study, 05868 MP 05 1001 Rev 0 Contextual Elevations Elevations AA and BB

G21208 - Utility Survey Utility Survey of Land, M00280 L200 Rev B Landscape Masterplan, M00280 L201 Rev B Levels Plan of site

M00280 L300 Rev B Planting Plan and 05868 B1 02 2202 OVLC Overlooking Distances Plan Typical Plan

(c) Sections 3.6 and 6.1 of the Design and Access Statement stamped as received on 17-05-22;

(d) Waste Storage and Management (Residential and Commercial) as set out in Waste Management Strategy M1 stamped as received on 19-01-22 as amended by Zerum's e-mail 04-05-22

(e) Recommendations in sections 3,4,5 and 6 of the Crime Impact Statement VERSION A: 30th June 2021 stamped as received on 23-12-22;

(f) Archaeological Desk Based Assessment of land at Store Street, Manchester, ARS Ltd Report 2021/50, March 2021 (Updated December 2021) stamped as received on 23-12-22;

(g) Inclusions of measures and targets set out M1 Piccadilly, Manchester Environmental Standards, and Circular Economy Statement PWM-FUT-ZZ-XX-RP-0003 by Futureserve dated 08/11/21 stamped as received on 23-12-22;

(h) Broadband Connectivity Assessment M1 Piccadilly by GTech stamped as received on 23-12-21;

(i) M1 Piccadilly Fire Statement Piccadilly Wharf by BB7 dated 19-10-22 as amended by Zerum's e-mail 04-05-22 and Dwg 05868 B1 02 2201 G First Floor GA;

(j) Air Quality Assessment, M1 Piccadilly, Manchester, Dated 16th June 2021 stamped as received on 23-12-21;

(k) Drainage Strategy Assessment by The Alan Johnston Partnership LLP Ref: PWM-AJP-ZZ-XX-RP-C-3010 15-06-22 stamped as received on 23-12-21;

- (l) Television and Radio Reception Impact Assessment, M1 Piccadilly by GTech Surveys Ltd 15-06-21 stamped as received on 23-12-21;
- (m) Land at Piccadilly Wharf, Store Street, Manchester M1 2WA, ECOLOGICAL SURVEY AND ASSESSMENT, December 2021  
[ERAP (Consultant Ecologists) Ltd ref: 2021-033] stamped as received on 23-12-21;
- (n) Piccadilly Wharf, Manchester, Transport Statement and Travel Plan 210617/SK22109/TS01(-01) by SK stamped as received on 23-12-21;
- (o) Daylight & Sunlight, IMPACT ON NEIGHBOURING, PROPERTIES, Piccadilly Wharf, Manchester by GIA 19-01-22 stamped as received on 19-01-22;
- (p) PICCADILLY WHARF, MANCHESTER, UPDATED PHASE 1: PRELIMINARY RISK ASSESSMENT June 2021 by LKK Group stamped as received on 23-12-21;
- (q) M1 Piccadilly, Townscape and Visual Appraisal and TVIA Viewpoints Store Street, Piccadilly, Manchester by open stamped as received on 23-12-21;
- (r) M1 Piccadilly, Manchester, Environmental Standards and Circular Economy Statement PWM-FUT-ZZ-XX-RP-0003 and M1 Piccadilly, Manchester Energy Statement PWM-FUT-ZZ-XX-RP-0001 by Futureserv stamped as received on 23-12-21;
- (s) M1 Piccadilly, Store Street, Manchester, Noise Assessment, For Piccadilly Wharf Ltd by Hydrock dated 11-06-21 stamped as received on 23-12-21
- (t) Heritage Statement, M1 Piccadilly, Store Street, Manchester - December 2021 stamped as received on 23-12-21;
- (w) WIND MICROCLIMATE, ASSESSMENT REPORT, Piccadilly Wharf, Manchester by GIA dated December 2021 and stamped as received on 23-12-21;
- (x) M1 Piccadilly, Manchester Ventilation Statement PWM-FUT-ZZ-XX-RP-0002;
- (y) Installation of ELV points in accordance with by Zerum's e-mail 04-05-22 ; and
- (z) Accessibility and Inclusion Statement by 5Plus, received on 18-05-22.
- (aa) Zerum's e-mail 19-05-22 in relation to on site security.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan policies DC19.1, DC20 and DC26.1.

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:

\*baseline samples and specifications of all materials to be used on all external elevations;

\*drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and

\*a programme for the production of the full sized sample panels a strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

( b) Submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle;

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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) Before the Enabling Works Package set out within Enabling Works Strategy stamped as received on 20-05-22 commences final details of the extent and nature of the enabling works (Enabling Works Package) along with the following details:

\*A surveyed record of the existing site condition;

\*Display of an emergency contact number;

\*Details of Wheel Washing;

\*Dust suppression measures;

\*Compound locations where relevant;

\*Location, removal and recycling of waste;

\*Routing strategy and swept path analysis;

\*Parking of construction vehicles and staff;

\*Sheeting over of construction vehicles;

\*Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;

- \* Details of the loading and unloading of plant and materials;
- \* Details of the storage of plant and materials used in constructing the development;

shall be submitted to and approved in writing by the City Council as Local Planning Authority

The enabling works shall be carried out in accordance with the approved Enabling Works Package .

For the avoidance of the doubt the Enabling Works Package would not constitute commencement of development.

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

5) Before the Enabling Works detailed within condition 4 commence, details of how the current site will be reinstated to its current condition (including scaled plans) should the development hereby approved not commence within the timescales set out within condition 1 shall be submitted and approved in writing by the City Council as Local Planning Authority

Should the development not proceed within the timescales set out in condition 1 and following the commencement of the Enabling Works, the site shall be reinstated in accordance with the approved details within 18 months of the commencement of the Enabling Works.

Reason: In the interests of the amenity of the area, pursuant to policies SP1 and DM1 of the Core Strategy and Guide to Development 2 (SPG)

6) a) Notwithstanding the PICCADILLY WHARF, MANCHESTER, UPDATED PHASE 1:PRELIMINARY RISK ASSESSMENT June 2021 by LKK Group, 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:

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

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to



remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

7) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority

- \*Display of an emergency contact number;
- \*Details of Wheel Washing;
- \*Dust suppression measures;
- \*Compound locations where relevant;
- \*Location, removal and recycling of waste;
- \*Routing strategy and swept path analysis;
- \*Parking of construction vehicles and staff;
- \*Sheeting over of construction vehicles;
- \*Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;
- \* Details of the loading and unloading of plant and materials;
- \* Details of the storage of plant and materials used in constructing the development;

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).

8) Prior to the commencement of development a programme for submission of final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted.

(a) Details of hours during which the terrace at 1st floor level will be open to residents and the mechanisms which would prevent use outside of those hours;

(b) Details of (a) all hard (to include use of natural stone or other high quality materials) around the site perimeter (excluding Store Street pavements)

(c) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include, the details species within the shared terrace areas, bee hotels and opportunities for bird nesting ( including House Sparrows and Black Redstarts);

(d) Final details of the green roofs (1st floor parking roof and main roof level) including details of planting species to be included and details of on going maintenance;

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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 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.

9) Notwithstanding the details as set out within condition 2 no development shall take place until surface water drainage works have been submitted to and approved in writing by the Local Planning Authority in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.

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

\*Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;

\*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.

\*Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible

or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.

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

\*Hydraulic calculation of the proposed drainage system;

\*Construction details of flow control and SuDS elements.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

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

(a) Verification report providing photographic evidence of construction as per design drawings;

(b) As built construction drawings if different from design construction drawings;

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

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

1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:

i - an archaeological watching brief undertaken during site investigations (where intrusions will aid understanding of depths of made-ground and horizons of archaeological survival/truncation)

ii - (informed by (i) and in consultation with GMAAS) archaeological evaluation trenching (subject of a new WSI)

iii - (informed by (ii) and in consultation with GMAAS) more detailed excavation (subject of an addendum to the evaluation WSI)

2. A programme for post investigation assessment to include:

i - analysis of the site investigations records and finds

ii - production of a final report on the investigation results.

3. Deposition of the final report(s) with the Greater Manchester Historic Environment Record.

4. Dissemination of the results 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 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and

12) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given 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

To ensure a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17.

13) Prior to occupation of the residential accommodation a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location 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 equipment. The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

14) Notwithstanding the recommendations within the M1 Piccadilly, Store Street, Manchester, Noise Assessment, For Piccadilly Wharf Ltd by Hydrock dated 11-06-21 and stamped as received on 31-1-21 before any above ground construction commences details of the following shall be submitted:

(a) a scheme for acoustically insulating and mechanically ventilating the residential accommodation against local road traffic network, any local commercial/industrial

premises and the insulation requirements and specification for service risers /lift shafts; and

(b) following an assessment of the potential for overheating (AVO Assessment) any details of any additional noise mitigation measures to deal with equipment to mitigate overheating

The approved noise insulation scheme and vibration mitigation measures shall be completed before any of the dwelling units are occupied.

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

The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

(c) Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation (within at least 10% of the apartments) shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

15) Notwithstanding the Television and Radio Reception Impact Assessment, M1 Piccadilly prepared by GTech Surveys Ltd 15-06-21 within one month of the practical completion of the development or before the residential element of 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 study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

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

16) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by

the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

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

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

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

17) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

18) Prior to implementation of any proposed lighting scheme details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

19) Prior to the first use of the development hereby approved, a detailed Residential Management Strategy including:

(a) Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal), parking of maintenance vehicles, noise management of communal areas shall be submitted to and agreed in writing by the City Council as Local Planning Authority.; and

(b) How access to the communal terraces would be managed during the evening /night

shall be submitted to and agreed in writing by the City Council as Local Planning Authority.

The approved management plan shall be implemented from the first occupation of the residential element and be retained in place for as long as the development remains in use.

Reason - In the interests of residential amenity, the promotion of a sustainable and inclusive community within the development, 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.

20) The development hereby approved shall be carried out in accordance with the Piccadilly Wharf, Manchester, Transport Statement and Travel Plan 210617/SK22109/TS01(-01) by SK

In this condition a travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development;
- ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) 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;
- vi) measures to identify and promote walking routes connecting Piccadilly Station, the Metrolink, the City Centre and areas towards the Ancoats, New Islington and East Manchester;

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and 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 SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

21) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday



10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

22) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for 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 - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

23) 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.

24) 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.

25) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas of public realm during the hours that it is open to the general public 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

26) The window(s) at ground level, fronting onto Store Street and the areas of public realm around the building 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.

27) If any external 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

28) Notwithstanding the details contained within condition 2 above prior to the first occupation of the residential element, a scheme of highway works and footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- (a) Details of the Car Club Bay location;
- (b) Removal / relocation of existing parking bays;
- (c) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries; and
- (d) Any amendments to the existing TRO associated with the above;

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

29) The development shall be carried out in accordance with the Crime Impact Statement VERSION A: 30th June 2021

The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

30) 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.

31) 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).

32) Prior to the first occupation of the residential element, the 54 cycle parking places proposed at ground floor and the 3 visitor parking as detailed within section 3.1 of the Design and Access Statement by 5plus shall be provided 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).

33) In relation to site layout, water supplies for firefighting purposes and access for fire appliances, the development shall be implemented in accordance with the Fire Safety Measures set out in the M1 Piccadilly Fire Statement Piccadilly Wharf by BB7 dated 19-10-22 as amended by Zerum's e-mail 04-05-22 and Dwg 05868 B1 02 2201 G First Floor GA and response within Zerum's e-mail dated 04 05 22 (subject to Buildings Regulations and other required safety sign off)

Reason - To ensure a satisfactory development pursuant to Policy DM1 of the Core Strategy and in accordance with the Fire safety and high-rise residential buildings Guidance August 2021.

34) Before development commences final details of the wind mitigation to the level 1 north, level 2 and level 13 north terraces as shown in dwg

and confirmation from a suitably qualified Wind Consultant that this would be adequate shall be submitted to and approved in writing. The approved scheme shall be implemented prior to any use of the terrace commencing and and thereafter retained and maintained in situ.

Reason - In the interest of creating a suitable and safe environment for residents and in the interests of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

35) The development hereby approved shall be carried out in accordance with the targets within the Inclusions of measures and targets set out M1 Piccadilly, Manchester Environmental Standards, and Circular Economy Statement PWM-FUT-ZZ-XX-RP-0003 by Futureserve dated 08/11/21 stamped as received on 23-12-22 and a post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

36) a) No development, hereby approved, shall commence until a detailed risk management programme / plan for unexploded ordnance (UXO) and mitigation as appropriate, is submitted in writing to the local planning authority for approval. Development shall be carried out fully in accordance with the approved UXO risk management and mitigation programme / plan.

b) No property, hereby approved, shall be occupied until the approved UXO risk management and mitigation programme / plan has been implemented in full as to the removal of high risk UXO matters or implemented in full as to other necessary mitigation which are covered under the detailed risk management programme / plan approved pursuant to paragraph a) above and a mitigation completion verification report has been submitted to and approved in writing by the Local Planning Authority, confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

c) If, at any time during development, high risk UXO not previously identified (as part of the approved UXO risk management and mitigation programme / plan approved under 40a) is encountered / found to be present , no further development shall be carried out until a revised and/or additional UXO risk management and mitigation programme / plan is submitted detailing how the high risk UXO not previously identified shall be dealt with, and is approved in writing by the Local Planning Authority. The revised and/or additional UXO risk management and mitigation programme / plan shall be implemented as approved and following completion of mitigation a completion verification report shall be prepared and submitted in writing

to the Local Planning Authority for approval confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the risks from unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO, pursuant to policies EN18 and DM1 of the Core Strategy for Manchester.

37) Waste Storage and Management shall be implemented in accordance with the following: Waste Storage and Management (Residential and Commercial) as set out in Waste Management Strategy M1 stamped as received on 19-01-22 as amended by Zerum's e-mail 04-05-22

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.

38) Prior to the installation of any building lighting details of how this has been designed and would be operated to ensure that any impact on foraging bats would be negligible shall be submitted to an approved in writing by the City Council as Local Planning Authority.

All external lighting shall be installed and operated in accordance with agreed specifications and locations set out in the strategy

Reason - In the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1

## **Informatives**

1) 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.

Commuted sums are required for any non-standard materials (and street trees) used on the adopted highway.

2) the applicant to review the Western Leg Hybrid Bill to ensure that they are aware of the proposed HS2 works in that location (see here <https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Ftransport%2Fhs2-phase-2b&data=04%7C01%7Cplanning%40manchester.gov.uk%7C567959178a5d4b>)

8e536308d9e57bb2b7%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C0%7C637793141706594276%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&data=yNgxw80XYcof%2FizZCX0cXsnxh1cVVkzhpd7pybjdd5s%3D&reserved=0)

3) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour. Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction phase.

4) Any materials approved for planning purposes should be discussed in full with Building Control. This is to ensure they meet the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with the Building Regulations you should discuss these with the Planning Service as soon as possible as this could materially effect your permission.

5) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

6) As the proposal involves development over 11m in height (or alterations to increase the height of a building above 11m), developers are required to notify the Greater Manchester Fire & Rescue Service of the commencement of development via email to [construction-started@manchesterfire.gov.uk](mailto:construction-started@manchesterfire.gov.uk)

7) For this development proposals for good practice principles for both the design and operational phases are recommended. Reference should be made to IAQM/EPUK guidance: <http://iaqm.co.uk/guidance>

8) Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact [highways.structures@manchester.gov.uk](mailto:highways.structures@manchester.gov.uk).

9) All of the works required to achieve the new accesses / egresses and associated TROs should be included as part of a S278 agreement to be funded by the applicant

10) Nesting birds: No works to trees or shrubs shall occur between the 1st March and 31 st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out

11) INNS Management: It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as wall cotoneaster are included within this schedule. If any wall cotoneaster will be transported off site as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence .

### **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: 132626/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

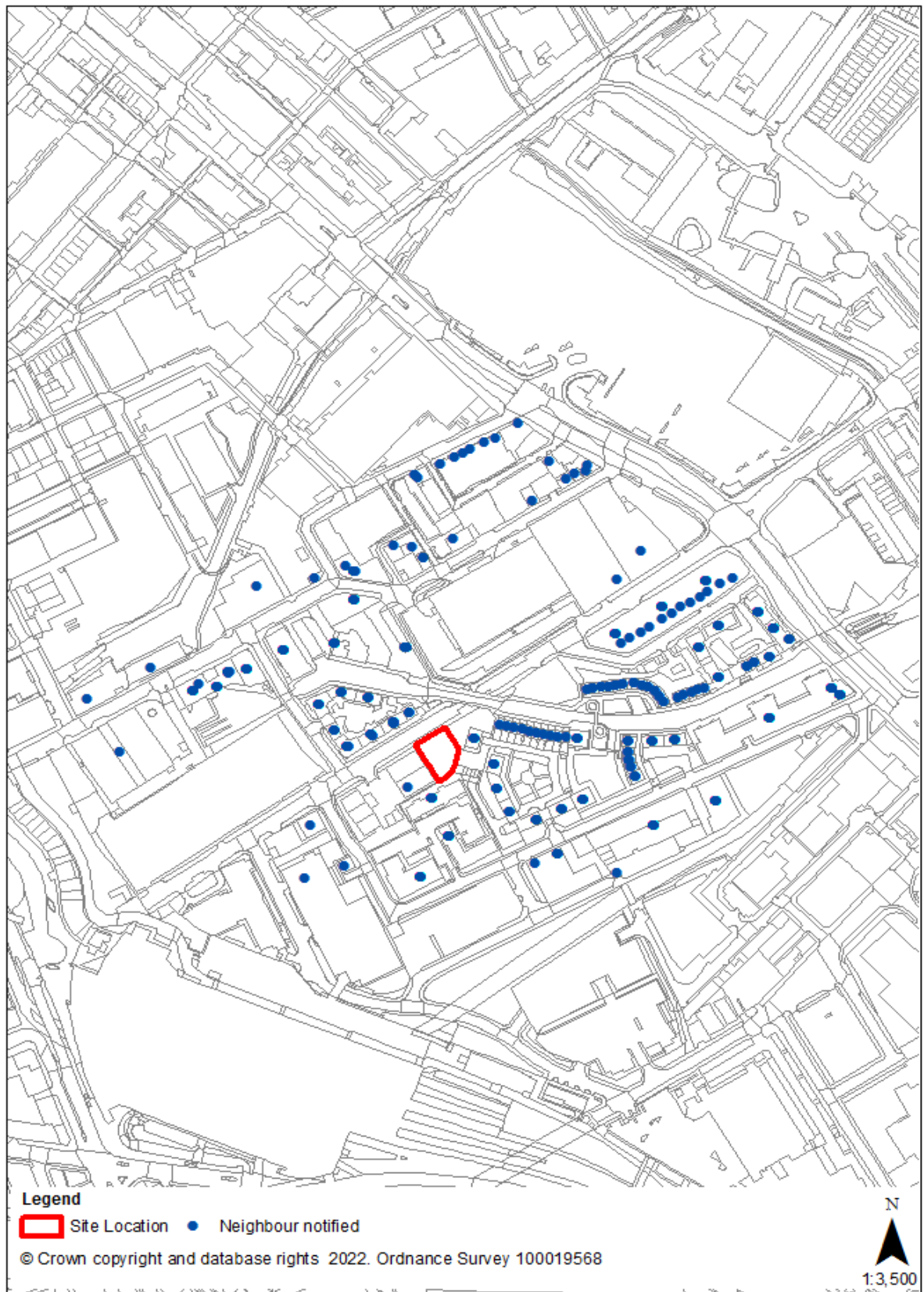
**Highway Services**  
**Environmental Health**  
**MCC Flood Risk Management**  
**Oliver West (Sustainable Travel)**  
**Strategic Development Team**  
**City Centre Renegeration**  
**Greater Manchester Police**  
**Historic England (North West)**  
**Environment Agency**  
**Transport For Greater Manchester**  
**United Utilities Water PLC**  
**Canal & River Trust**  
**Health & Safety Executive (Fire Safety)**  
**High Speed Two (HS2) Limited**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**GM Fire Rescue Service**  
**Piccadilly Village Residents Association**  
**Greater Manchester Archaeological Advisory Service**

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

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	Angela Leckie
<b>Telephone number :</b>	0161 234 4651
<b>Email :</b>	angela.leckie@manchester.gov.uk





<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
130922/FO/2021	29th Sep 2021	31 May 2022	Piccadilly Ward

**Proposal** Erection of a rooftop extension for use as a Bar (Sui Generis)

**Location** 46 Canal Street, Manchester, M1 3WD

**Applicant** Mr Craig Elder, On Bar, 46 Canal Street, Manchester, M1 3WD

**Agent** Dr Kanadi Jagafa, Mason and Marlowe Ltd, 3 Gladwin Place, 3 Colman Gardens, Salford, M5 3NT

## EXECUTIVE SUMMARY

### Key Issues

**Principle of the proposal** The unit is located in the city centre within the area of The Village which is known for its commercial and leisure uses. The proposed development is acceptable in this location subject to there being no unacceptable impacts on residential amenity.

**Economic** Jobs would be created during construction as well as the operation of the proposed development. The proposal would support the viability of the existing use and its long-term occupancy.

**Social** Access within the building would be improved considerably including a stairlift to the upper floors and roof.

**Environmental** There would be elevational improvements to a key building along Canal Street and within the Whitworth Street Conservation Area.

**Impact on the historic environment** 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.

**Impact on local residents** The effects on the residents within surrounding residential developments have been considered within the context of the local area. It is considered that subject to the noise mitigation measures proposed, the proposal would not give rise to any unduly harmful impacts that would warrant refusal of this planning application.

A full report is attached below for Members consideration.

## Description

This three-storey masonry and glazed building fronts Canal Street that has been in use as a Bar for a number of years known as 'On Bar' that occupies all floors of the building. Historically, the site was occupied by a single storey brick workshop.



*(Source: Manchester Central Reference Library, Image reference m54763, date 1960)*

The building has been significantly modified, having been extended upwards, with elevational alterations which have modernised its appearance.



**Current appearance of the application property**

The site is in “The Village” which contains offices, restaurants and bars, hotels and shops. There are homes opposite on Canal Street completed in 2019. Buildings heights on Canal Street range from 2 to 6 storeys, with those around Chorlton Street, Abingdon Street, Bloom Street and Richmond Street being between 2 and 5 storeys.

The site is in the Whitworth Street Conservation Area which contains Victorian and Edwardian building dating from 1850 and 1920. A number of listed buildings are close to the site including: 51 And 53, Richmond Street, 3 Brazil Street, 42 and 44 Sackville Street, New Union Public House. It is close to Piccadilly and Oxford Road Railway Stations, Metro link, Chorlton Street Bus Station, Metroshuttle services and a wide range of bus services. It is in Flood Risk Zone 1 with a low risk of flooding from rivers or sea and is within a critical drainage area

### **Description of Proposals**

The proposal is for the erection of a rooftop extension. It would be part cladded to the rear with glass balustrades to the sides and the front. The extension would be set back from the front elevation by 1 metre and the side elevations by 0.75. The roof would be partially retractable and glazed.

The roof terrace would close at 10pm, would have a maximum capacity of 90 covers and would only operate with seated patrons with table service.

Waste and deliveries would remain as existing, with access to the external bin storage at the rear via the side elevation for collection daily.

The proposal includes a stair lift to provide access to the rooftop extension, and the upper floors of the building that were not previously accessible.

### **Consultations**

Publicity – The occupiers of adjacent premises were notified; the development was advertised in the local press as a development which would affect the setting of listed buildings and the setting of a conservation area and site notices were placed adjacent to the site. 7 objections were received as follows:

### **Noise and Residential Amenity issues**

-Residents in the area are already disrupted by noise and loud music, especially as the bar keeps multiple doors and windows open until the early hours. Allowing another floor will create more noise issues;

-The terrace style development will exacerbate noise issues;

-The building is directly opposite apartments, there is no need for another floor when they already have outdoor seating and this will just create more issues with neighbouring residents;



-This bar is incredibly noisy and is open very late. Music and patrons from the bar keep residents awake. By increasing the outside space, it will increase the amount of people on the street, drinking and exacerbate noise issues;

-The noise from the bar already affects resident's quality of life and sleep despite acoustic insulation in the residential buildings;

-There are issues with noise most days of the week. It is appreciated that noise is expected in this area however the levels of noise affect sleep quality;

-The bar keeps their windows open into late hours which makes the noise travel. This proposal would continue to create further noise issues and distress to residents which is already intolerable;

-High levels of activity and noise between, 10:00 - 23:00 7 days a week, caused by the large terrace associated with this premises would have a detrimental impact on living conditions;

-The addition of a 4th story will eliminate the majority of the view of the city centre.

-On Bar currently keep residents awake with music playing from their premises. The bar have an obligation to keep the doors closed and no music playing out into the street past 11pm. They already are create a noise nuisance and it is not believed they will be any better with a new terrace regardless of their claims.

### **Privacy and Overlooking**

-The rooftop terrace will look into apartments from above.

### **Design Issues**

-The details in the planning application are not consistent, the vertical extension in the heritage statement states "The roof terrace has about 1m of red brickwork (to match existing walls) with a metre high reinforced glass balustrade on three sides of the roof terrace". Yet the rooftop terrace plan and section drawings show elevations much larger than that;

-The adjacent building, GAY, has a small roof top 2nd storey smoking balcony. The scale of the 4th storey rooftop terrace with a permanent bar area is out of keeping with the rest of the Whitworth conservation area;

Following submission of revised plans, and a revised acoustic report, an additional 21-day neighbour notification was carried out. 2 objections were received reiterating issues about noise and residential amenity, privacy and outlook/views. Further objections were raised about lighting which would be intrusive.

**Highway Services** no objection and recommended a condition to require the submission of a Construction Management Plan prior to the commencement.

**Environmental Health** no objections and recommended conditions to limit the opening hours of the terraced; to agree a scheme for the acoustic insulation of the commercial uses and a submission of a verification report to confirm development conforms to the requirements and recommendations of the acoustic report; implementation of the agreed lighting scheme and requirement for a verification report.

**Greater Manchester Police** no objections provided the development is carried out in accordance with the Crime Impact Statement.

**Canal & River Trust** a Construction Environment Management Plan (CEMP) should be a condition.

**Greater Manchester Ecology Unit** no comments.

**GM Fire Rescue Service** no comments.

**Village Business Association** no comments.

**Manchester Water Safety Partnership** Given the proximity and nature of the business, the applicant is encouraged to complete a Water Safety Impact Assessment and act on the assessments recommendations.

## Issues

### 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 is the key document and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved. 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.

### Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. (Spatial Principles) – The development is in The Village where there are a concentration of bars/clubs around Canal Street.

SO2. (Economy) – The scheme would provide construction jobs along with permanent employment through the enlargement of the premises. The increased commercial floorspace would support the City's employment function as part of a mixed-use environment.

S05. (Transport) – The development would be highly accessible, reducing the need to travel by private car allowing patrons to access the premises by using public transport.

S06. (Environment) – The development would use the building effectively. It would improve recreational opportunities; and ensure that the City is attractive to residents, workers, investors and visitors.

Policy SP1 (Spatial Principles) – The development would be sustainable and would deliver economic and commercial development close to sustainable transport.

Policy CC1 (Primary Economic Development Focus (City Centre and Fringe) - The development would complement existing uses in the area and enhance provision.

Policy CC4 (Visitors – Tourism, Culture and Leisure) – The additional floorspace would improve facilities for visitors and contribute to the quality and variety of the City's food and drink offer. The proposals would improve the appearance of, and access to facilities at the building.

Policy CC9 (Design and Heritage) – The design would be appropriate to its context. The scale, height, massing, alignment, material and use are acceptable and would not harm the setting of surrounding listed buildings nor the Whitworth Street Conservation area.

Policy CC10 (A Place for Everyone) – Level access is provided into the building and full access would be provided to all facilities on all levels via wheelchair stairlift. The alterations would provide direct and level access from street levels to all floors and the roof level, and improve access.

Policy C10 (Leisure and the evening economy) – The impact of the proposal would be acceptable subject to the imposition of conditions.

Policy T1 (Sustainable Transport) – The proposal would be in a highly accessible location where a range of public transport is on offer.

Policy T2 (Accessible Areas of Opportunity and Need) – The proposal would be accessible by a variety of sustainable transport modes.

Policy EN1 (Design Principles and Strategic Character Areas) - The proposal would enhance the character of the area.

Policy EN3 (Heritage) – The removal of the temporary façade treatments and unauthorised signage would reduce visual. The impact on the character and appearance of the building in the conservation area and adjacent listed buildings would be acceptable and is considered in detail in the report.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) – submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement to include details of the strategy for securing



more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction.

Policy EN8 (Adaptation to Climate Change) - This is in a highly sustainable location. The site is in flood risk zone 1 with a low risk of flooding.

Policy EN16 (Air Quality) - The site is highly accessible by all forms of public transport.

Policy EN17 (Water Quality) – The proposal would not impact on water quality. A Construction Environment Management Plan would include a requirement to consider the adjacent Rochdale Canal.

Policy EN19 (Waste) - The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy has been submitted.

Policy DM1 (Development Management) – The siting, scale and appearance of the extension is acceptable in the context of the building and conservation area. Glazing would ensure that the extension appears as a light weight addition.

The application is considered in detail in relation to the above issues within this report and is considered to be in accordance with this policy.

### **Saved Unitary Development Plan Policies**

Policy DC10.1 (Food and Drink Use) – The proposal would provide more space. The effect on residential amenity would be minimised by conditions. Accessibility would be improved. The waste management strategy would be as existing.

Policy DC 10.4 (Food and Drink Use) – Conditions would protect the amenity of nearby residential properties including limitations on the hours of opening, the need to deal satisfactorily with noise and the storage and collection of refuse.

Policy DC14.1 (Shop Fronts and Related Signs) – Multiple banner type signs on the front of the building which cause clutter and detract from the Whitworth Street Conservation area would be removed.

Policy DC14.2 (Shop Fronts and Related Signs) – Full access would be provided through all entrances and step free access to all floors and the rooftop.

DC18.1 (Conservation Areas) –The impact on the conservation area is considered in detail in this report.

DC19.1 (Listed Buildings) –The impact on nearby listed buildings is considered below in detail in this report.

DC26.1 and DC26.4 (Development and Noise) – Acoustic assessments have been submitted and conditions would reduce the impact of noise on nearby homes.

## 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.

## 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.

## **Relevant National Policy**

### **National Planning Policy Framework (2021)**

The National Planning Policy Framework sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and an environmental objective (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:

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.” The proposed development is considered to be consistent with sections 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons outlined below:

Section 6 – (Building a strong and competitive economy) – The proposal would support economic growth and create jobs and prosperity through construction and through the operation of the use.

Section 7 (Ensuring the Vitality of Town Centres) - The overall proposal would maximise the use of the building and increase the City Centre Food and Drink offer.

Section 9 (Promoting Sustainable Transport) – This site is in a sustainable location close to railway stations, Metrolink and Metroshuttle Services and bus routes. This would be sustainable development and contribute to wider sustainability and health objectives and would give people a choice about how they travel.

Section 11 (Making Effective Use of Land) - The proposal would maximise the use of the building and use it effectively.

Section 16 (Conserving and Enhancing the Historic Environment) - The site is within the Whitworth Street Conservation Area and would affect the setting of Listed Buildings. The impact on the setting of the Grade II 3 Brazil Street, 42 and 44 Sackville Street, New Union Public House and the Whitworth Street Conservation Area would be acceptable, and this is discussed in more detail below.

## **Whitworth Street Conservation Area Declaration**

The Whitworth Street Conservation Area has been designated as a Conservation Area as it lies at the heart of Manchester's business and commercial district and to preserve and enhance the impressive grandeur of this part of the City historically associated with major banking, insurance and other financial institutions for the North of England. The area today is remarkable for buildings which whilst of a variety of architectural styles stand well together. The area was designated in November 1970 and extended in June 1986. The Whitworth Street/Princess Street Conservation Area was designated in 1974 (extended in 1985). Its physical form is established by the wealth of Victorian and Edwardian buildings erected between 1850 and 1920. They reflect the historical importance of the textile industry in the city and provide the most distinctive element in the Conservation Area streetscape.

The buildings vary in size and range from six to seven storeys and are characterised by having rich and deeply modelled front facades in brick and/or terracotta, whilst the rear was almost entirely glazed either in a vertical plane or a stepped configuration. Although the area is no longer connected with the industry, the architectural building style associated with textile industry remains largely intact in the area should be noted that the area does contain many substantial buildings, such as the Former Refuge Assurance Offices (Palace Hotel), UMIST, India House, Asia House and Lancaster House. The height of the warehouses give the area it's most obvious physical character of a 'canyon' like atmosphere. These buildings all have large floor plates and contain substantial amounts of floorspace and are indicative of substantial buildings have been a characteristic of this area for many years.

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

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder

## **Principle of Development**

The proposal seeks a part enclosed rooftop extension to a long-standing bar in the Village. The Village contains a variety of cafes, restaurants and drinking establishments along with residential accommodation.

The extension would modernise the premises and continue to support the vitality and vibrancy of area. The design of the rooftop extension would minimise its impact on the visual amenity of the conservation area and nearby listed buildings. Access would be improved considerably including a stairlift to the upper floors and roof. The impact on surrounding homes would be managed through planning conditions.

The proposal is considered to be consistent with the aspirations of policies SP1 and C10 of the Core Strategy as it would support the daytime and evening economy within The Village through the enhancement of an existing use. The proposal would also be consistent with Sections 6 and 7 of the NPPF and Core Strategy Policies SO1, SO2, CC1, CC4, CC7, CC8, CC10 and DM1.

Consideration should be given to any associated impacts on the listed building and conservation area together with residential and visual amenity. In particular, consideration would be given to the noise, hours of use, servicing and refuse and waste management arrangements

## **Visual amenity**

The existing building is three storeys and the surrounding area has a mixture of heights with a varied roofscape. The extension would provide a fourth floor which has been set back from the front and side elevations by 1 and 0.75 metres respectively. The extension would have large glazed elements and a flat roof to provide a lightweight, contemporary appearance.

The extension would be of a similar height to adjacent buildings, including 44 Canal Street. The glazing and siting of the extension away from the main elevation, would ensure that it appears subservient to the existing building. Signage clutter and the current concrete cladding on the side elevation would be removed. Conditions would ensure that the development is delivered to the required standard.

## **Impact of the historic environment**

The application site is in the Whitworth Street conservation area. There are listed buildings nearby including: Grade II listed 51 and 53, Richmond Street, 3 Brazil Street, 42 and 44 Sackville Street, New Union Public House.

The existing building has been significantly altered through elevational alterations and upwards extensions. The building does, however, contribute positively to the variety of scale and character of the conservation area.

Legislation and planning policy seek to preserve and enhance the character, appearance, and historic interest which heritage assets possess. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("P(LBCA)A

1990”) require that ‘special regard’ be paid in taking decisions affecting listed buildings and their settings and conservation areas.

There would be a minor effect on the conservation area. The dense urban grain of this section of Canal Street means that views of the conservation area are restricted from the vantage points immediately surrounding the site. The extension would be visible in the conservation area but its scale and appearance would be minimised through its lightweight materials. It would form part of the variety of building heights in the area and have no direct impact on the significance and character of the conservation area as a whole which would remain legible and understood.

The extension would not be highly visible in relation to nearby Listed Buildings due to the tight grain of the terraced row and neighbouring building heights. The extension would be understood as a subservient, contemporary addition to the building and would not have an adverse impact on the ability to understand and appreciate the heritage interest of these buildings.

A low level of *less than substantial harm* occurs in this instance, as defined by paragraph 202 of the NPPF as a result of the increase in height. There are other instances where the development would be seen in long ranging views of listed buildings and wider views of the conservation but their significance would remain legible and understood.

In all instances the heritage assets would remain legible and understood and outweighed by the public benefits that this development. It is considered that this proposal would provide the public benefits required by the paragraph 202 of the NPPF which outweighs any harm which arises. These public benefits will be considered in detail below.

### **Impact Assessment**

The proposal would result in instances of low level harm through minor changes to views within the conservation area. These impacts are considered to result in a low level of less than substantial harm.

In these circumstances, it is necessary to assess whether the impact suitably conserves the significance of the heritage assets, with great weight being given to the asset’s conservation (and the important the asset, the greater the weight should be) (paragraph 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. The proposal would create instances of less than substantial harm as defined within. 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.

The proposal would support the viability of the existing use and its long-term occupancy. There would also be elevational improvements to a key building along Canal Street. The development would improve accessibility to the premises as a whole, including step-free access provided to upper floors and rooftop level where it wasn’t previously provided.

Advertisement clutter would also be removed from the premises together with the creation of high-quality roof top extension.

The additional floorspace would complement and support City Centre businesses as well as creating jobs during construction and when the extension comes into operation.



It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the conservation area and listed buildings as required by virtue of S66 of the Listed Buildings Act, 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 Residential Amenity**

### Overlooking

The City Centre generally contains high density development where buildings are taller and located closer to one another. Whilst it is recognised the elevations of the rooftop extension contain a greater amount of glazing than other nearby buildings, other building have windows at a similar height and separation distance along this side of Canal Street.

The nearest residential properties to the building are The Linter Building, which is on the opposite side of Canal Street, approximately 20m away. The addition of a single storey roof top extension would not given rise to any unduly harmful impacts in terms of loss of light or overshadowing that would warrant refusal of this planning application.



## Noise

The proposed development is on Canal Street in The Village which is known for its vibrant night time economy. There are homes nearby and noise and disturbance require careful consideration. The premises has operated as a drinking establishment for many years. There are apartments facing the site, approximately 20 metres away, that were completed in 2019. The premises currently has a license to operate until 2am Monday to Thursday, 3am on Friday, 4am on Saturday and 2am on Sunday.

An acoustic report has highlighted that noise and disturbance would be created from both the construction and occupation of the roof top extension. Mitigation measures are proposed to minimise the impact of the operations of the extension including acoustic glazing, no amplified music and reduced opening hours i.e. The rooftop extension is to be used daily between 10am and 11pm and the roof should be closed at 10pm. In addition, all windows should remain shut. This would allow greater controls on the operation of the development and therefore the impact on noise should be limited.

Environmental Health have considered the report and concur with its findings. Conditions should secure this mitigation which must be in place prior to the first use of the premises together with post completion testing to ensure that no further mitigation is required.

The comments and concerns raised by local residents are noted but subject to the mitigation outlined above, the proposal would not give rise to any unduly harmful impacts that would warrant refusal of this planning application.

The proposed would accord with Core Strategy policies DM1 and C10 and Saved Unitary Development Plan policies DC10 and DC26.

## Vehicle Movements

Highway Services have no objection. The site is close to all forms of sustainable transport. Conditions are proposed to require the submission and agreement of a construction management plan including details of types and frequency of vehicular demand, satisfactory routing of vehicles and contractor parking during the construction phase. In view of the above the proposal is considered to be in accordance with Sections 9 and 15 of the National Planning Policy Framework, policies SO1, SO5, SP1, DM1, CC5, CC10, T1, T2 and EN16 of the Core Strategy for the City of Manchester

## **Waste**

A waste management strategy confirms that the storage and collection strategy would manage the operational waste of the scheme. Waste is stored at the rear of the property and moved to Canal Street to be collected daily by a private contractor. The waste storage and collection strategy is acceptable to both Environmental Health and Highways in order to satisfy policies DM1 and EN19 of the Core Strategy.

## **Crime and Disorder**

The proposed use would bring additional vitality to the area. The development would be largely glazed and overlook Canal Street and would enliven the street scene and help to provide natural surveillance. A Crime Impact Statement has been submitted in support of the application and sets out recommendations to improve the Security of the development which includes Security Lighting, CCTV and external alarmed doors. In view of the above the proposal is consistent with section 8 of the National Planning Policy Framework, and policies SP1 and DM1 of the Core Strategy.

## **Lighting**

The proposed rooftop extension incorporates a lighting scheme that consists of:

- Two strings of festoon strings, each with fifteen lamps to be installed, spanning the rear of the seating area and are to be fixed at either end side of the seating area;
- Six recessed downward firing spotlights above the bar area;
- Wall lights are to be installed at equal distances either side of the bar area and towards the front section of the covered seating area
- Four upward firing ground mounted recessed spotlight

A lighting impact assessment concludes that the lighting would not affect light pollution, glare and overspill to nearby windows. Environmental Health concur that it would not have any significant or detrimental impacts on the amenity of nearby residents in accordance with Core Strategy Policy DM1.

## **Full access and Inclusive Design**

Step-free access would continue to be provided for the ground floor of the existing building. The proposal would provide level access from the street via Canal Street to the upper floors and improve current provision with full access via wheelchair stair lift to all floors of the building and the roof.

The proposal would not adversely impact on any relevant protected characteristics in accordance with S149 (Public Sector Equality Duty) of the Equality Act 2010. The proposals would therefore be consistent with sections 8 and 12 of the National Planning Policy Framework and Policies SO1, SO5, SP1, CC4, CC5, CC10, T1, T2 and DM1 of the Core Strategy for the City of Manchester and saved UDP policy DC14.2.

## **Sustainability and Climate Change Mitigation**

The scheme would have environmental sustainability benefits through the re-use and upgrading of space within an existing building. The submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) would be required by condition. This would include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

## Conclusion

The proposed uses are acceptable in principle and would support the leisure offer in the City Centre. The impact on the conservation area and the settings of surrounding listed buildings, would be acceptable. It would provide elevational improvements to a key building along Canal Street within a conservation area

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 nearby 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 199 and 202 of the NPPF and the less than substantial harm would be outweighed by the benefits of the development.

The impact on nearby residents has been carefully considered. The closest residential properties are 20 metres away on the opposite side of Canal Street, the existing building is in use as a bar and has windows facing these properties. Any potential adverse impacts from noise outbreak and hours of opening can be addressed via conditions. Given the above, it is considered that the proposal is in accordance with the City of Manchester's planning policies and regeneration priorities including the Adopted Core Strategy, the relevant Strategic Regeneration Frameworks and the Community Strategy, as well as the national planning policies contained within the National Planning Policy Framework and should be approved.

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

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

**Recommendation**      Approve

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

### **Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

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

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

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

Received by the City Council as Local Planning Authority on 10 September 2021:

- Location Plan
- Existing Ground Floor Plan
- Existing First Floor Plan
- Existing Second Floor Plan
- Existing Elevations
- Existing Ground Floor and Bin Collection point plan
- Existing Roof Plan
- Existing Section
- Existing Contextual Drawing
- Crime Impact Statement dated 14 August 2021

Received by the City Council as Local Planning Authority on 29 September 2021:

- Lighting Impact Assessment Report Document reference: SHD341-SHD-HLG-BOOT-RP-EO-Lighting Assessment Report-R0
- Lighting Calculations

Received by the City Council as Local Planning Authority on 19 November 2021:

- Document referenced: Installation: Proposed Lighting SHD341-1 dated 09.11.2021

Received by the City Council as Local Planning Authority on 28 March 2022:

- Proposed Rear Elevation
- Proposed Front Elevation
- Proposed Side Elevations
- Proposed Rooftop Floor Plan
- Acoustic Survey Report No. 10945 Rev D dated 09 March 2022

Received by the City Council as Local Planning Authority on 16 May 2022:

-Design and Access and Heritage Statement

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 saved Unitary Development Plan polices DC18.1 DC19.1 and DC26.1.

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:

Samples and specifications of all materials to be used on all external elevations of the development and production of a suitable sized sample panel in order to assess the specifications of all materials to be used as part of the development including 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) Submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle;

(c) 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) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include:

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Consultation with local residents/local businesses;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o 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.

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, EN19 and DM1 of the Core Strategy for the City of Manchester.

5) Prior to the commencement of the development hereby approved, a detailed construction environmental management plan outlining working practices adjacent to the Canal during construction shall be submitted to for approval in writing by the local planning authority, which for the avoidance of doubt should include:

- A plan showing the areas of storage of plant and machinery used in constructing the works;
- Include the steps to be taken and method to prevent debris, materials, dust or any accidental spillages entering the waterway, including any dust extraction/containment within the building;
- Details of siting of any cranes and the tracking/oversailing paths and routes of these.

The development shall only be carried out in accordance with the approved CEMP.

Reason - In the interest of protecting the canal from the construction of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) The rooftop extension hereby approved shall be carried out in accordance with the submitted schedule of days and hours of operation as detailed within the Acoustic Survey Report No.10945revD dated 09 March 2022 stamped as received by the City Council, as Local Planning Authority on 28 March 2022. The hours are as follows:

- Daily between 10am and 11pm.
- The retractable roof should be closed at 10pm

There shall no use of amplified sound or any music within the extension at any time.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies DM1 of the Core Strategy and UDP Policy DC 26

7) a) The rooftop extension shall be acoustically insulated and treated to limit the breakout of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted for approval in writing by the City Council, as Local Planning Authority. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB 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 (Leq,5min), respectively.

b) Prior to use 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.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties in accordance with Core Strategy Policy DM1 and Saved UDP policy DC26.

8) The development hereby approved shall include for full disabled access to be provided to via the main entrances and to the floors above as per the submitted Design and Access statement received by the City Council as Local Planning Authority on 16 May 2022.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

9) a) The proposed lighting scheme shall be designed and installed in accordance with the submitted information

Received by the City Council as Local Planning Authority on 29 September 2021:

- Lighting Impact Assessment Report Document reference: SHD341-SHD-HLG-BOOT-RP-EO-Lighting Assessment Report-R0
- Lighting Calculations

Received by the City Council as Local Planning Authority on 19 November 2021:

- Document referenced: Installation: Proposed Lighting SHD341-1 dated 09.11.2021

b) Prior to first use 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 in accordance with Core Strategy Policy DM1.



9) (a) Prior to installation, a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location 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 equipment. The approved scheme shall be completed before the premises is occupied.

b) Prior to the operation of the plant, 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 secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

10) Prior to the first use of the hereby approved development the recommendations within the Crime Impact Statement dated 14 August 2021 in Sections 7 and 8, shall be implemented in full and retained thereafter. Upon completion of the development a verification report shall be submitted to confirm the measures have been implemented.

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

11) 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.

12) Prior to the first use of the development the existing signage, temporary balcony treatment and cladding to side elevation shall be removed.

Reason - In the interests of visual and residential amenity and the character of the streetscene pursuant to policies SP1 and DM1 of the Core Strategy and DC15 of the Saved Unitary Development Plan.

13) All windows of the rooftop extension are to remain closed whilst the use is in operation.

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

### **Informatives**

1) The applicant/developer is advised to contact the Canal & River Trust Infrastructure Services Team on 01782 779909 or email [Enquiries.TPWNorth@canalrivertrust.org.uk](mailto:Enquiries.TPWNorth@canalrivertrust.org.uk) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust 'Code of practice for Works affecting the Canal & River Trust' to ensure waterways are protected and safeguarded.

2) Given the proximity of the site to a water body, the applicant is advised to agree a detailed Water Safety Impact Statement and Risk Assessment with the Manchester Water Safety Partnership. Contact Alex King: [alex.king@cityco.com](mailto:alex.king@cityco.com).

3) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council:

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

### **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: 130922/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**  
**Urban Design & Conservation**  
**Greater Manchester Police**  
**Canal & River Trust**  
**Greater Manchester Ecology Unit**  
**Environmental Health**  
**Highway Services**  
**Urban Design & Conservation**  
**GM Fire Rescue Service**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Police**  
**Canal & River Trust**

**Village Business Association  
Manchester Water Safety Partnership**

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

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	Eve Woolstencroft
<b>Telephone number :</b>	0161 234 4533
<b>Email :</b>	eve.woolstencroft@manchester.gov.uk

This page is intentionally left blank

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
130387/FO/2021	13 May 2021	31 May 2022	Hulme Ward

**Proposal** Erection of a part 9 part 13 storey purpose built student accommodation building comprising 261 bed spaces (7no. 8 bed clusters, 8no. 9 bed clusters, 4no. 10 bed clusters, 18no. three bed studios, 1no. two bed studio, 37no. studios (Sui Generis use class) with ancillary amenity space, a ground floor community hub (proposed for Use Classes F2(b), E(b), E(3), E(f)) and associated landscape works and infrastructure

**Location** The Former Gamecock Public House, Boundary Lane, Manchester, M15 6GE

**Applicant** Curlew Alternatives Eighth Property LP, C/o Agent

**Agent** Mr Daniel Ramsay, Turley, 1 New York Street, Manchester, M1 4HD

## EXECUTIVE SUMMARY

The proposal is for a part 9 part 13 storey purpose built student accommodation (PBSA) building providing 261 student bed spaces. There have been 49 objections from neighbours, an objection from 'Block the Block' a resident-led campaign support by Hopton Hopefuls, Aquarius Tenants and Residents Association, Hulme Community Forum and On Top of the World Hulme, an objection from Hopton Hopefuls, a letter of objection from 2 employees of Manchester University, an objection from the GP practice on Booth Street West, objections from the Guinness Partnership and One Manchester and 3 representations from members of the public supporting the proposal. Councillors Annette Wright and Lucy Powell MP have objected.

## Key Issues

### Principle of use and contribution to regeneration

The development is in accordance with national and local planning policies, and the scheme would bring significant economic, social and environmental benefits. This is a previously developed brownfield site located in a highly sustainable location close to Oxford Road, the University Campuses and public transport modes and amenities. The development would meet the tests of Core Strategy Policy H12. The applicant has demonstrated robustly that there is unmet need for the proposed student accommodation, the proposal has University Support, it has demonstrated that the proposal for PBSA is deliverable, the proposal is sustainable and provides an appropriate standard of accommodation (including supporting the wellbeing of students), meeting carbon objectives and delivering regeneration benefits in its own right.

## **Economic**

The proposal would result in investment and deliver 261 student rooms. The ability to attract students, particularly as a high proportion of graduates stay in the City once they have finished their course, is vital to a successful and thriving economy. Direct and indirect construction jobs are expected to be created. 5 jobs would be created once the development becomes operational.

## **Social**

A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The provision of high quality student accommodation is vital to attract the right skills to the city given the high graduate retention rates. Amenity areas in the student accommodation would allow for interaction and sharing of ideas as well as supporting student welfare. A community hub is proposed at ground floor to provide a space that would be available to the wider community.

## **Environmental**

This would be a low carbon car – free building in a highly sustainable location. 126 secure cycle spaces would be provided. There would be public realm improvements around the site through the provision of trees and hard landscaping. Biodiversity would be improved with new habitats created and a green roof included at the 9<sup>th</sup> floor. Flood risk can be managed. The ground conditions are not complex or unusual. The height, scale and appearance would be innovative and contribute positively. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

## **Impact on 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 0.13 hectares site is at the junction of Boundary Lane and Booth Street West, currently occupied by a two storey, pub which has been vacant for sometime and is dilapidated. The pub would be demolished and the site redeveloped with a part 9/part 13 purpose built student accommodation block.

The neighbourhood to the west of Boundary Lane consists of two, three and four storeys homes and the area between boundary Lane and Higher Cambridge Street contains taller blocks.

## **Proposal**

The proposal is for a part 9 part 13 storey purpose built student accommodation (PBSA) building, providing 261 student bed spaces in studios and clusters with:

- 56 x studio apartments
- 7 no. 8 bed clusters
- 8 no. 9 bed clusters
- 4 no. 10 bed clusters
- A ground floor community hub measuring 102.1sqm
- 386.7 sqm amenity space, including lounge areas, games room, study rooms, tv rooms, gym and laundry accessible to all residents
- Reception area, plant, substation, staff amenity space and office on the ground floor
- 126 secure cycle parking spaces in the basement;
- Bin store on the ground floor, to accommodate 8No 1100L bins & 3No 240L bins, collected twice a week
- Rooftop solar panels, air source heat pumps, electric heating and a green roof at level 9.
- All units would comply with Part M requirements.
- Servicing and refuse collections would take place from the lay-by on Booth Street West.







## Planning History

085071/FO/2007/S1 - Erection of a part 11 storey/part 7 storey building comprising 42 self-contained flats with 41 parking spaces in basement, ground floor and mezzanine floor following demolition of existing public house. Refused 25 July 2008.

1. The proposed building would by reason of its scale and architectural massing would be an over-dominant and intrusive feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore contrary to the provisions of policies H2.2 and H2.7 of the Unitary Development Plan of the City of Manchester and the Guide to Development In Manchester which is a supplementary Planning Document.
2. The proposed development fails to make adequate provision for private amenity space for the residents of the proposed development. The proposed development is therefore contrary to the provisions of policies H2.2 and H2.7 of the Unitary Development Plan of the City of Manchester and the Guide to Development In Manchester which is a supplementary Planning Document.
3. The proposed development by reason of its excessive height and architectural massing would have an overbearing impact on the occupiers of Cooper House to the detriment of their residential amenity. The proposed development is therefore contrary to the provisions of policy H2.2 of the Unitary Development Plan for the city of Manchester.

The applicant appealed the decision which was allowed, granting planning permission.

099285/FO/2012/S1 - Erection of part 8 part 11 storey building comprising 48 units (38 x 4 bed and 10 x 3 bed) to provide student accommodation (Sui generis).  
Refused 28 August 2012.

Reasons for refusal:

1. The applicant has failed to demonstrate that there is unmet need for the proposed student accommodation or that they have entered an agreement with an education provider for the provision of student accommodation. As such the proposal is not in accordance with the provisions of Policy H12 of the Core Strategy of the Local Development Framework.
2. The proposed building would be reason of its scale and architectural massing be an over-dominant and intrusive feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore contrary to the provisions of policies SP1, EN1, EN2 and DM1 of the Core Strategy of the Local Development Framework. The guidance contained in para 14 of the National Planning Policy Framework supports refusal.
3. The proposed development fails to make adequate provision for private amenity space for the residents of the proposed development. The proposed development is therefore contrary to the provisions of policies EN1 and DM1 of the Core Strategy of the Local Development Framework and Para 14 of the National Planning Policy Framework.

## Consultations

**Publicity** – The development was advertised in the Manchester Evening News as a major development. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses notified of the application is set out at the end of this report.

49 letters of objections have been received in relation to this application on the grounds that:

- Yet another large, tall MMU building that is planning to be built accommodating a further 261 students into an area (Hulme) that already has far too many students compared with other people living in the neighbourhood. This does not create community cohesion.
- Another massive block that is out of keeping and will further contribute to the unbearable living conditions that exist in Hulme. Antisocial behaviour, drug dealing and littering is a result of the presence of students. Residents want to live in peace and get a decent night sleep throughout the whole year and not only when students return home. We have drug dealers selling drugs to students under our windows and students mistaking us residents for drug dealers. Children are living in the community and are being shaped by this.
- Hulme has become too noisy, too crowded and very contaminated.

- The development will completely remove sun and any view from Cooper House and Hopton Court, this will impact on mental health and there are mental and physical health implications of living next to a development site for 2 years. Construction will also cause traffic difficulties.
- This development will render the use of the communal garden for the tenants of Hopton Court as undesirable.
- In 2008 the Planning Committee refused a 9 storey building citing, amongst other things, 'canyon effect' and its impact on Cooper House. This application is a full 4 storey higher, this building will be completely overbearing.
- All properties within Cooper House have a north facing aspect to their kitchens, bathrooms and second bedrooms, there are already significant problems in terms of light and heat. This will incur higher heating and lighting bills to a social housing development effectively penalising the poorest in society for the profits of the wealthiest.
- Significant potential for noise disturbance and general anti-social behaviour within close proximity to the second bedrooms within Copper House generally used by children.
- Cooper House is only accessible from Camelford Close. This is a narrow, poorly maintained, cul-de-sac, barely adequate for two-way passage, with already badly obscured visibility, due to parking, at its egress onto Boundary Lane. The proposed development has no parking, nor is there any provision for deliveries. Regardless of any claims that students will not be permitted cars, this is unlikely to be adhered to, which will lead to blocking of access and abuse of the parking provided within the boundaries of Cooper House.
- The offer of a community space is a facility that is unlikely to be accessed by the community and is more likely to be used as a party room for students and likely to add to noise and anti-social behaviour.
- The site needs low rise affordable housing not high density high rise student accommodation.
- Loss of trees and no bio-diversity
- Pressure on existing infrastructure.
- Comment that this is Hulme, not the City Centre.
- Question in relation to the needs for provision of accommodation for musicians

A planning consultant has been engaged to object on behalf of a group known as 'Block the Block' a resident-led campaign support by Hopton Hopefuls, Aquarius Tenants and Residents Association, Hulme Community Forum and On Top of the World Hulme.

The objection sets out the reasons given for refusal for the previous proposed PBSA scheme on this site (ref: 099285/FO/2012/S1). They compare the two proposals to demonstrate that the reasons for refusal remain unsatisfied and raise additional concerns.

They state that the policy context remains the same as it did in 2012 and so these same policy tests are relevant to the current planning application and a strong material consideration.

1. Applicant failed to demonstrate that there was an unmet need for the proposed

student accommodation or that they had entered into an agreement with an education provider for the provision of student accommodation. Within policy H12, criterion 9 sets out that “developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University...for the supply of all or some of the bedspaces.” In line with this, the refused 2012 scheme dedicated a section of the Design and Access Statement to justify the need for student accommodation. This was considered inadequate in demonstrating the need for the additional accommodation and, with the applicant having not entered into an agreement with any of the education providers, this was considered to not satisfy policy H12 of the Core Strategy.

Within the application to which this objection directly relates, a ‘Summary Evidence of Student Need’ (Cushman and Wakefield, April 2021) was submitted as part of the application package to attempt to satisfy this policy requirement. A report – almost identical to this one and by the same consultant – was submitted as part of another application that was refused at committee just weeks ago in June 2021 in line with the officer’s recommendation (ref: 129406/FO/2021). That PBSA scheme was for a 28 storey purpose built student accommodation and was supported by a report titled: ‘Evidence of Student Need: Deansgate South’ (Cushman and Wakefield, December 2020). In determining whether this report successfully met the requirements of policy H12 in that instance, the decision notice states, “the applicant has failed to demonstrate robustly that there is unmet need for the proposed student accommodation.”

Both reports were published by Cushman and Wakefield within four months of each other.

They use the same dataset to explore demand and supply for student accommodation in the city despite some of their numbers not corresponding with one another. Whilst the discrepancies between each report are not clearly explained, it can only be assumed some change has occurred to the data between writing. In light of the recent decision where it was cited that the evidence was insufficiently robust, we see no reason why this same report (with only a few amended figures) would this time constitute as sufficient evidence of need.

Moreover, no formal agreement has been entered into with a higher education provider.

Notwithstanding the general ‘need for PBSA’ – as expressed in the Resolution of Manchester City Council Executive on PBSA (December 2020) - we strongly disagree with the overall argument in terms of how this strategy would translate in reality through schemes such as this one. As a result we consider that it should be given limited weight for the following reasons.

The notion that PBSA in the centre of the city (in this case costing between £130 - £230) would ever be able to replace private-rented HMOs costing an average of £110 per week (based on submitted C&W report) in housing students beyond first-year, is one that seems very unlikely. Beyond simply just the costs of living, for students to move to the likes of Fallowfield and Withington is also engrained in the

culture of the university experience. In support of this, a survey was conducted by 'Block the Block' that asked these questions to the market in question, students (the survey has been submitted within a separate objection). The findings from this demonstrated that students want the independence gained from living in a privately rented property and that city centre PBSA is too expensive to be considered a viable alternative to this. It was also raised as an issue that PBSA often comes without parking – like the proposed scheme to which this objection relates – and so is inaccessible for some students that require a car. This is an additional factor that will maintain the demand for private rented properties.

As such, developments like this proposed at the former Gamecock site are at threat of being under-utilised and would likely be faced with higher vacancy rates. We consider that there is a lack of evidence to support the idea that this “demand” is for purpose built student accommodation rather than simply for beds. We consider that there needs to be some evidence to support that this demand extends beyond first-years and international students before the Resolution of Manchester City Council Executive on PBSA (2020) can be given any significant weight. The notion that students would choose (or even be able) to afford the proposed rents rather than live in a privately rented property is unfounded and naïve. There are also a number of approved PBSA schemes – some at an advanced stage of delivery – that would be able to satisfy any short term need already. It should also be noted that a PBSA scheme which will provide a further 853 student beds was approved at Planning Committee on 1st July 2021, after the submission of this application. As such, these beds will not be accounted for within the figures for supply used to support the scheme at Gamecock. As such, they are likely already out of date thus throwing further uncertainty over the conclusions reached regarding existing ‘need’. We therefore consider that the proposal remains to be not in accordance with this criteria and so, policy H12.

2. Because of its scale and architectural massing the proposed building would have been over-dominant and intrusive in the streetscene to the detriment of the visual amenity of the area.

The 2012 scheme to which this reason for refusal relates was part 11 and part 8 storeys in height. This was discussed by the officer at the time as being larger in terms of its footprint, height and overall massing at an additional storey taller than the 2008 scheme that was allowed at appeal (part 7 part 11 storeys). As such, it was considered to create a feature that was to the detriment of the visual amenity of the area and was over-dominant and intrusive.

This most recent scheme – to which this objection relates - is for a part 13 and part 9 storey building; this is taller than both the 2008 scheme that was allowed at appeal and the 2012 scheme that was refused. Within the ‘Planning Statement’ for this scheme it states: “the Inspector’s decision does go some way to establishing the principle of developing the site to this scale and height.” In this Inspector’s decision as referred to, the Inspector wrote that, “the tallest part of the proposed development would stand out but the differences in height between buildings would not be such as to result in extremes in the area.” It was here acknowledged therefore that the height of the proposal in 2008 was above that of the surrounding buildings – as such it would have stood out. In that case, where the proposal was for a part 7 part 11

storeys building, it was however considered to not be an extreme.

Although the Inspector's decision in 2008 to permit a building of that height is a material consideration, we consider that the two additional storeys (on top of each element of the building) would create an over-dominant and intrusive feature as was reflected in the officer's discussion in 2012. The new design, with its proposed additional storey on top of that, would not resolve this issue and instead would only magnify it. We consider that it would now clearly manifest an "extreme" in the area as described by the Inspector in 2008. It therefore fails to satisfy policy DM 1 of the Core Strategy and contravenes chapter 12 of the NPPF.

Also relevant to this notion of over-dominance is the site coverage by development. The table below demonstrates these figures in comparison to the refused scheme. The plot size is based on the figure given in the application form for the planning application.

#### Scheme Proposed Site Coverage (m<sup>2</sup>)

2012 scheme 625.4 Current scheme (ground floor) 588, Current scheme (1st floor upwards including oversailing structure) 670.88.

As detailed within the 2012 scheme's officer's report, the proposed building in 2012 sought to cover in excess of 75% of the site. Whilst on the ground floor within the current proposals this has been reduced slightly, the overhang at the first floor would ensure this feeling of overdominance remains. From the first floor upwards the massing is significantly greater than the 2012 scheme as shown in the table above. The reduced footprint only being to the extent of the ground floor is considered to have a negligible effect with regards to reducing the mass and bulk of the proposed building. Whilst viewing the building from the north, it would appear as one bulk taking up the full extent of the site. Secondly whilst experiencing the space from ground-level, the low height of the overhang would create a sense of enclosure and overbearingness. Furthermore, the reduced footprint on the ground floor does not make way for an area of effective open amenity space nor does it create any private or public amenity space of value. It is simply a marginally wider footprint. Chapter 12 of the NPPF directs that planning decisions should ensure that development contributes to the objective of achieving well-design places. As part of this, proposals are to be approved where they are sympathetic to local character and will function well and add to the overall quality of the area. As such, the scale and architectural massing of the proposed building must be considered against its context and local character.

Within the Design and Access Statement, the following map (figure 1) was submitted as part of the justification for the building's height, showing 'Contextual Heights'. We consider that this map illustrates the clear character areas in the local area.

As can be seen above, to the east of Higher Cambridge Street, building heights are much taller more generally and the urban grain is much coarser. This area of darker blues and larger blocks denotes the Corridor (Higher Education Precinct (HEP)) Character Area with Higher Cambridge Street marking its boundary. To the west of Boundary Lane the urban grain can be seen to become much finer and building heights are on the whole much shorter with 1-4 storeys being typical within that

section. As such, we consider that the land bound between Boundary Lane and Higher Cambridge Street – where the application site is situated – marks a transition area with regards to urban grain and building heights.

Whilst Section 4.2 of the Design and Access Statement argues that, “the site sits in the context of the University. An area that can be characterised by peak points of height such as the Hotel & Executive Education Centre (Crowne Plaza),” we do not consider this to be the case. This ‘University context’ does not translate into the existing character of the area or the surrounding and appropriate building heights. While the building heights are taller than those to the west of Boundary Lane, the tallest of these is Cooper House at 10 storeys. This therefore does not marry with the scale of the buildings on the other side of Higher Cambridge Street.

Page 35 of the Planning Statement says that the site is, “immediately adjacent on three sides by residential buildings of a similar scale and massing.” We consider that figure 1 illustrates this to not be true. Cooper House and Hopton Court are grouped within the bracket for 9-12 storeys however both are at the lower end of this. At 9 and 10 storeys, these buildings are clearly significantly taller than the prevailing character of that area already. The third immediately adjacent side as referred to is 5 storeys tall and, for the full context, the fourth side is made up of 2, 3 and 4 storeys.

Notwithstanding this, the private amenity space that has been retained surrounding these buildings demonstrate a much lesser site coverage and as such the ‘density of development’ far lower. Therefore, we consider it clear that the built form

Figure 1 - Taken from Design and Access Statement (Simpson Haugh, 2021)  
in the immediate context of the application site is not of a similar scale and massing to the proposals, as claimed by the applicant. Instead, it is inappropriate and over-dominant – a clear illustration of overdevelopment.

3. Proposals failed to make adequate provision for private amenity space for the residents of the proposed development.

The refused 2012 scheme was deemed by the officer as not providing sufficient amenity space for the residents of the proposed development. Within that application, this was made up of a series of elevated roof gardens running up the south elevation of building. This was to accommodate 188 students and was considered, “inadequate for the number of residents and that the proposed development is therefore contrary to the provisions of policies SP1 and DM1.”

Within the current scheme, the Planning Statement (page 20), states that the proposed amenity space amounts to 488 sqm which includes a 102 sqm Community Hub. None of this “amenity space” is outdoors and includes within its calculations, a laundry room which is a complete debasement of the definition of amenity space.

The only outdoor provision is a minimal area of public realm defined by some benches and insignificant landscaping. This is proposed to be able to accommodate an increase of 261 students. Such amenity space is crucial with regards to making a positive contribution to the health, safety and wellbeing of residents as per policies DM1 and SP1. Its absence within this proposal has potential for poor wellbeing for residents and further eludes to the fact that the site is overdeveloped in terms of built form.



For example, consider the investment that has been made within the nearby University of Manchester complex, or the MMU Birley Fields campus, where improve parkland, new public realm and additional outdoor areas have been provided to accommodate the increases in height and density on the campuses. The nearby Cooper House and Hopton Court both include significant public open space, garden areas and parking within a much wider 'plot'. In this wider design context, this development cannot be considered to reflect this approach.

In line with the previous decision on this policy test, we consider that this fails to meet the test and remains contrary to the provisions of policies SP1 and DM1.

4. By reason of its excessive height and architectural massing, the proposal would have had an overbearing impact on the occupiers of Cooper House to the detriment of their residential amenity

The 2012 scheme was refused for the effect that its excessive height would have had on local residential amenity. The current scheme, and its additional 2 storeys on top of that, is therefore considered to see this issue exacerbated.

Within policy DM1 of the Core Strategy, it is set out that development proposals should have consideration for a number of factors; one of these is any effects it may have on amenity. This is also a requirement for the policy tests within policy H12 for PBSA. Such notions of protecting residential amenity are reflective of Chapter 12 of the NPPF.

With the previous 2012 scheme, the impact of the development on Cooper House and its residents' amenity was considered a reason for refusal. As discussed in the officer's report, "whilst it is unlikely, as shown in the sunlighting survey, to result in any significant overshadowing it would have a significant overbearing impact." It is unclear, with a taller building which also has an increased mass, how this can have been addressed.

Within the Sunlight and Daylight Assessment submitted within the application package, there are some figures given showing the Annual Probable Sun Hours (APSH). For some of these neighbouring properties the APSH for some windows, including bedrooms and other habitable rooms, would be significantly diminished. In some cases this is below the standards and is acknowledged within the report as such which in itself should be a consideration counting against the proposed development. However, fundamentally, there would be a significant diminishing effect overall even when the standards are still met. In some cases, residential properties in Cooper House and Hopton Court will have less than 50% of the sunlight that they currently enjoy. This is a significant amenity impact that is underplayed by the applicant with the excuse being that it is within an urban context. As this is not a constrained site, and the distance between buildings are sufficient enough that this could be avoided, it is only the proposed height and bulk of the building that is causing this diminishing effect. As such it cannot be considered an unavoidable or acceptable result of the site's overall redevelopment. As a result of the above, we consider that the proposal fails to satisfy the criteria for policy H12 and DM1 of the Core Strategy as well as Chapter 12 of the NPPF.

5. The proposed development failed to achieve the high standard of design required for such large buildings Policy EN2 for Tall Buildings sets out what proposals should be able to demonstrate in order to be supported. This includes that any building should be of excellent design quality. The officer wrote about the refused scheme that, “the design of the proposed building is unexceptional both in terms of the manner in which its various elements come together and the palette of material to be used.” We believe that the same can be said for this proposal also - the design of this proposal is not contextually responsive and is bland. Its design evidences no real innovation and the blank eastern elevation, given its visual prominence, would detract from the area’s overall quality.

With this, we consider the proposal to have not addressed the 2012 officer’s concerns and to therefore contravene SP1, EN1, EN2 and DM1.

6. The proposed high density development was not considered compatible with existing developments and (notwithstanding a proposed s106 agreement) would have been likely to result in increased on-street parking in the surrounding area. Within policy H12, criterion 3 directs how, “high density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in onstreet parking in the surrounding area.”

Page 35 of the Planning Statement provides the applicants’ justification against this criterion making reference to the site within the context of the Oxford Road Corridor – here, “the majority of the buildings being high density and tall.” This site is however not within this character area and, instead, is in the area that has a medium low residential density with lower building heights. As such, we consider that the high density of the proposal is in fact wholly inappropriate in the site’s context and remains incompatible with existing developments in an area where no initiatives exist. In the refusal from 2012, the officer also took this position and wrote, “the proposed development is high density in that it covers a substantial part of the site and is taller than adjacent buildings and lacks the open setting.”

We consider this to still be the case with the application to which this objection relates – in fact it is even taller with no open setting created - and thus it fails to satisfy policy H12.

Turning to the matter of parking, the refused scheme from 2012 offered a range of measures, including two parking spaces for use by car club vehicles. It also included: provisions for a financial contribution to the ongoing residents parking schemes for Hulme; to market the development as car-free; and that residents would sign an agreement to not park within 1.5 miles of the development; blue badge holders would be exempt; and that residents of the development will not be able to join the Hulme residents parking scheme. During the lifetime of a similar PBSA scheme (ref: 129406/FO/2021), the Highways Authority commented that they would wish to see cycle parking for 100% of the residents (they considered the 17% as proposed within that scheme as inadequate). Additionally they recommended accessible parking provision, a car club bay, a Travel Plan, and some other measures.

Both of these cases demonstrate the threat posed by PBSA with regards to the creation of onstreet parking. Such arrangements as those suggested within the refused 2012 scheme are not part of the offer for this proposal and thus we consider that the problem will only be exacerbated. Much of the justification for this relates to the site's location in walking distance from University campuses, however there is no provision for other situations synonymous with student accommodation. Firstly there are likely to be issues for parking on moving in and moving out days. The arrival of hundreds of students within days of each other – typically by car – would have a huge impact on the area and surrounding congestion. Issues will also arise with the arrival of taxis, parcel and takeaway delivery drivers and maintenance staff – serving 261 students, this will be significant. The assumption that students can walk and cycle everywhere is also unrealistic, especially when only 25% of students will be able to have a cycle parking space. Some students, for example those who are medics or teachers, may require a car to get to placements and so the lack of parking would make such accommodation inaccessible for them also.

As such, we consider that this reason for refusal has been worsened in this case and that it remains unable to satisfy policy H12.

7. The numbers of residents for the proposed development would have had a detrimental effect on the amenity of other residents in the area due to a substantial increase in coming and goings. Within the officer's report for the refused 2012 scheme – which proposed 182 bedrooms – the Council considered that, “the numbers of residents for the proposed development would have a detrimental effect on the amenity of other residents in the area due to a substantial increase in comings and goings and the proposed development is therefore contrary to the provision of policies SP1 and DM1.”

This current scheme proposes 261 bedspaces and so a 43% increase on a number that had previously been deemed too high for this particular site. The impacts on the amenity of other residents in the area from an even more substantial increase in comings and goings would be worsened as a result of this development therefore. Exploring this impact on amenity further, the officer in 2012 noted that this increase in activity is likely to be more detrimental when late at night or early in the morning. As a high density accommodation for students this is likely to be the case. Furthermore the officer expressed how, “whilst the lack of car ownership may limit the amount of traffic noise there will still be taxis and private car hires which contribute to the noise.” Such alternate transport, as a result of the zero parking provision, will not reduce impacts of noise but may well increase these impacts.

As such we consider that this proposal remains non-compliant with policies SP1 and DM1.

#### Additional matters

There are a number of points that we wish to bring to your attention that extend beyond the previous reasons for refusal.

- Trees

Within and immediately adjacent to the application site, there are 28 trees. Four of these are protected by a Tree Preservation Order (TPO), which are identified within the applicants own studies. Of these, based on the Tree Constraints Plan, it is proposed that one will be felled (T3) and two will be pruned (T6 and T8). In addition to those covered by a TPO, a further four trees will be felled and a third tree is proposed to be pruned. Looking at the proposed site plan however, it is clear that the root protection areas of T6, T7 and T8 will be built over and their crowns seriously diminished. As a result the long term future of these mature trees, which are off site and the subject of a TPO, is at serious risk. In addition to the loss of sunlight, this will greatly threaten their long-term health.

Notwithstanding this, the Planning Statement implies that there will be a stock of replacement trees put in place and that in the long-term, there will be a net increase in the number of trees. We are concerned that any trees that would be planted will be within the street scene in the context of a new tower block. As such they would get very little sunlight and so will be unlikely to flourish. Dominated by built form, they appear not as a prominent feature within the proposed drawings and so we suspect that the contribution that they will bring to the area with regards to air quality and biodiversity will be low. The implications of this relates to mental and physical well-being for both existing and future residents. This, when coupled with the lack of amenity space identified, demonstrates again the overdevelopment of this site.

- Community space

The development proposal makes provision, on the ground floor plans, for a 'community hub'.

Whilst hypothetically this sounds like a way to encourage community cohesion, the reality of how this would transpire is an issue that we wish to highlight. Many of the local residents who this space is supposedly for have expressed that they would not use the space and that other facilities are available elsewhere. There is no recognised demand for this space and its limited size and lack of facilities (such as a kitchenette) would limit its usability. As such, we consider that this is a token gesture and that this space would likely be blended back into use for the students in the future.

- Construction

Local residents have also raised their concerns regarding the construction phase should this proposal be approved. Within the construction management plan, it directs that no parking will be provided and that all construction workers will be encouraged to park in public car parks nearby or get public transport. For what would be such a lengthy period, this seems unrealistic and unsustainable. This would have knock-on effects on the area. Equally, the notion that all deliveries will be made using the 'just in time' method is unrealistic also. There is otherwise not sufficient room on the site for the storage of materials and equipment. The impact that construction work will have on traffic is also a concern that is not sufficiently addressed within this document. Overall, the scale of the development, and the lack of a realistic construction management plan has serious implications for local amenity.

Conclusions

As per the discussion above, we therefore consider that this planning application fails to overcome the reasons for refusal previously given in 2012 for development on this site.

Despite the policy context remaining the same, it would appear that the applicant has made no effort to resolve these reasons and, in most cases, has exacerbated the issues raised through a desire to further maximise the development on the site. On behalf of our client, 'Block the Block', we therefore consider that the officer and committee should be minded to refuse this planning application based on the development plan in place.

Hopton Hopefuls referenced above have also written in objecting (with two supporting documents Ageing well in Place in Hulme and Ageing well in Place at Hopton Court) on the following grounds:

We are a group of older people living in Hopton Court tower block directly opposite the Gamecock site. 75% of tenants at Hopton are Over-50. Of the 59/68 tenants registered with Cornbrook Medical Practice across the road: one third have a long term condition or disability, and 46% are suffering from anxiety or depression. At Hopton Court, we are lucky enough to have some shared garden space. We also welcome tenants from Meredith Court to use our gardens because they have no garden space at all: 50% of tenants at Meredith Court are Over-50 which is situated just around the corner from the Gamecock.

Since the pandemic, the shared gardens have become essential for us as older and elderly people living in small one-bedroom flats. We have been very isolated. Our survey at Hopton revealed that 50% of tenants had no family living in Manchester. When the COVID-19 lockdowns began, most of the public agency workers we used to see disappeared. We had to look after each other, but we were not allowed to mix indoors.

We have managed to enjoy BBQs and weekly socials in the gardens throughout 2020 and 2021 which have been so important to taking care of the mental health needs amongst our tenants.

This is especially in the context of 46% of the tenants at Hopton suffering from anxiety and depression.

The gardens are also very important to our physical wellbeing in the context of 20% of our tenants who are registered with Cornbrook Medical Practice across the road suffering from Vitamin D insufficiency.

The proposed development will block the sunlight from our shared gardens and have a negative impact on the mental and physical wellbeing of older and elderly tenants at both Hopton Court and Meredith Court tower blocks.

The rate of Older People in Deprivation within the Aquarius area (MSOA - Manchester 019) is well above the national average at 45.2% (compared to 14.2% across England) and this is reflected in the health inequalities we are experiencing. Emergency hospital admissions linked to serious diseases are significantly

worse than the averages for both Manchester and England as a whole. We understand that Hulme is home to two universities, but our community has already given over a huge amount of land to the campuses and student accommodation in our area.

The need for more student flats at this time is highly questionable - and the proposed development is situated in a deeply inappropriate site surrounded by older people. We need the Gamecock site to be used for the purposes of supporting older people living in deprivation in our neighbourhood to age well in place.

This development will simply exacerbate the situation for older people through:

- Blocking sunlight
- Increasing anti-social behaviour
- Increasing air pollution
- Putting greater pressure on local services with a proposed additional population of 260+ service users.

Traffic and air-pollution- The development will significantly increase traffic in the area, both during the construction including heavy duty construction vehicles and after the construction in terms of traffic flow from the student population.

Emergency admission rates for Chronic Obstructive Pulmonary Disease (COPD) in our neighbourhood are already more than double the national average. Research shows that central Manchester has some of the highest levels of air pollution in the country and highlights how 'dangerous levels of toxic pollutants [are] having a devastating impact on the health of those living in the region' (Manchester Metropolitan University, 2020). Older people living in communities on the edge of the city centre are the worst affected.

Anti-social behaviour - We already have a student accommodation block situated behind us on the corner of Boundary Lane and Rosamund Street West. We already suffer from anti-social noise in the middle of the night and this new development will exacerbate this problem. Despite these challenges 83% of tenants in our survey said they want to remain living at Hopton Court as they get older because "Hopton is Home". Many have lived in Hulme all their lives, their friends and neighbours in the block and the surrounding community have become their family as family members have died or moved away, plus many are from migrant backgrounds. They are older people living in deprivation who don't have the option to just sell up and move out even if they wanted to. They love where they live. 28% of survey respondents said the thing they love most about living at Hopton is their neighbours and local community. They should not be forced into a situation where they have to suffer even further from anti-social behaviour as long-term older tenants who will be ageing in place.

We are aware that the developer is proposing that the ground floor of the new development is made available as a community space for local residents. We want to make it absolutely clear that we do not want this space, and as tenants of Hopton Court we have never participated in a consultation with them where we told them that we would like them to include this space in the development. We are in the middle of co-producing an initiative in partnership with One

Manchester Housing association, our council neighbourhoods team and ward councillors, and other local partners and charities called Ageing Well in Place in Hulme. As part of this initiative which includes co-financing for independent living advisers and an Ageing Well development worker, we are looking at building a new community building in our shared gardens at Hopton Court.

This will be a 'safe space' that isolated and excluded older people who live at Hopton will consider accessible and where activities and services that they have expressed a need for or an interest in will be made available. We do not want to use a space on the ground floor of a PBSA block and most of the elderly people in our block would never go across and use that sort of space. Through the Ageing Well in Place partnership, we are confident that viable alternative proposals for the Gamecock site can be proposed that work for the local community.

We appeal to you to recognise the detrimental impacts this high-rise block is going to have on our community together with the convincing technical planning reasons why it should not be allowed. We ask that you recommend against these proposals going ahead.

Two employees of Manchester University have objected on the following grounds:

1. Neighbourhood character and green space. They believe the building to be disproportionately tall with regards to this particular neighbourhood. No compensation is provided in the form of green space.
2. The scale of the new student accommodation. A query is raised about the impact the pandemic will have on student admissions.
3. Partnership approach. The University have recently been involved in supporting the residents of Hopton Court this development undermines that relationship. The committee need to demonstrate its commitment to inclusive collaborative planning.

The GP practice on Booth Street West object on the grounds that:

1. It is difficult to judge the need for additional PBSA at the present time due to Covid. They are aware that the student population in their practice reduced during Covid.
  2. Loss of natural green space and tree coverage near Booth Street West.
  3. Reduction in natural light for residents of Hopton Court where they have treated patients for Vitamin D deficiency. The development will widen health inequality.
  4. Residents at Hopton Court have been redeveloping the outside space in order to provide community access to green space and potential social interaction. The construction of a high storey development across the road will block sunlight.
  5. The Oxford Road corridor has one of the highest levels of nitrous oxide pollution in the country. Building residential space for more students in this area will add to this with the increased use of private cars, taxis and delivery vehicles. Many of their patients who live in close proximity suffer from asthma and chronic lung conditions.
- In summary, the practice object to the proposed development on the grounds that it will damage the health of their patients in a number of ways including Vitamin D deficiency, respiratory conditions and mental and emotional wellbeing. Manchester Health and Care Commissioning are committed to reducing health inequalities and they are of the opinion that the proposed development will only widen such inequalities.



The Guinness Partnership are the owners of the neighbouring development at Cooper House, they object on the following grounds:

They support the collective comments made by their customers. They recognise that the former Gamecock Pub needs to be redeveloped, however, they believe that the site is too small to accommodate the current proposals which extends up to 13 storeys in part with 261 bed spaces. They also have concerns on a number of items which suggest over-development being: overlooking distances to Cooper House; overall massing, scale and height; the lack of car parking, alongside a single shared access point at Camelford Close and the inclusion of a 24 hour hub. A well-designed building of similar scale to Cooper House, Hopton Court and Meredith Court would be more appropriate.

One Manchester object to the application on the basis of the scale, massing and height of the proposal which they consider would be detrimental to daylight and sunlight, local parking and transport and have a visual impact. They are aware that the site has been an eyesore for many years and support its development in principle, but would suggest a sensitive development to the local context.

Councillor Annette Wright objects to the application on the basis that it is too large and tall for the site, will take light off existing residents and is widely opposed by the community in Hulme.

Lucy Powell MP met with 'Block the Block', a resident-led campaign group opposed to the plans, which would see Purpose Built Student Accommodation built on the site of the Gamecock Pub on the corner of Boundary Lane and Booth Street West.

She understands 'Block the Block' have submitted their objections directly, and that a number of individual residents of the surrounding buildings intend to submit their own; however she would like to put on record my objections to the application and ask that these points are taken into consideration.

- You will be aware of two previous applications for planning on the site: a 2008 application which has now lapse, and a 2012 application which was refused by the Council. Many of the reasons cited in the 2012 refusal also appear to apply to the current application. Taking into consideration the reasons for refusal of the 2012 application and the apparent lack of changes to address this in the current application, she strongly believes the scheme should be refused planning consent.
- Additionally, she is aware that a 'Summary Evidence of Student Need' report has been submitted in support of the application, and that this is almost identical to a report submitted with another PBSA application in Deansgate South; this was refused last month partly on the grounds that the applicant had "failed to demonstrate robustly that there is unmet need for the proposed student accommodation." Given that the report for the Gamecock application is so similar and published by the same company within the four months of this, she struggles to see how this can be taken as sufficient evidence of need, having failed so recently elsewhere.

When she spoke recently with residents of nearby buildings, they all shared significant concerns about the impact this development will have on them and the wider community, if approved. They raised concerns about some of the practical

impacts of the scheme, such as overshadowing and lack of privacy for adjacent residents due to the height of the development – which is higher than the previously refused application. The impact of construction works over a period of several years was also raised, as was the absence of parking provision for the new residents and the increased pressure they would put on local amenities.

However, what residents are most concerned about, and what they spoke most passionately to the MP about, was the wider impact on the community – particularly its elderly residents in nearby tower blocks – who are falling through the gaps in health and social care. The proportion of older people in Hulme who are living alone (54%) is one of the highest in England And Wales, as is the number of residents claiming pension credits (60%). The rate of older people in deprivation within the Aquarius area of Hulme is well above the national average, standing at 45.2% compared to 14.2% across England.

This is a community which, on the edge of the city centre and so close to the Universities, feels increasingly overlooked. Older residents are especially anxious about this application. A recent tenant-led survey reported on the responses of over half the residents of Hopton Court, where three quarters of the residents are over the age of 50. These residents want to retire and grow older in Hopton. 78% of them stated that what they loved most about living there is their neighbours and the community spirit which is directly linked to all the social and wellbeing activities that have been happening in the shared gardens in recent years. They do not want to relocate out of the area and are understandably deeply anxious about the application being approved.

She would strongly urge that, not only the physical and practical characteristics of the development are taken into account, but also the wider context of the application is considered: the impact on this part of Hulme and its residents would be substantial. As it is, there are too few facilities for older residents in the area, and the single communal garden opposite the Gamecock site is currently the only piece of land they have to enjoy some sunshine and socialise with neighbours. This would be effectively taken from them if consent is given to build a development of this nature and height directly opposite.

This is not a city centre location. It is a transitional area between the city centre and residential Hulme, with an overwhelmingly older population who wish to see out their retirement in the community they've made home over several decades. She would like to put on record my objection to the application and ask that this is taken into consideration when the application comes to Planning Committee.

3 letters of support have been received on the grounds that:

- The scheme has a nice density providing life and character. The development must deliver high standard public areas and soft landscaping.
- The site has been empty for over a decade and has already had 2 proposals refused. If the plan gets rejected and re-submitted, locals will only find some other problem with it. The development will provide accommodation for 261 people, every year, for decades to come. I don't think it's fair that, say, 250 NIMBYs can pull up the drawbridge for thousands of future residents. If you can't build student housing within walking distance of 3 universities, where can you build it?

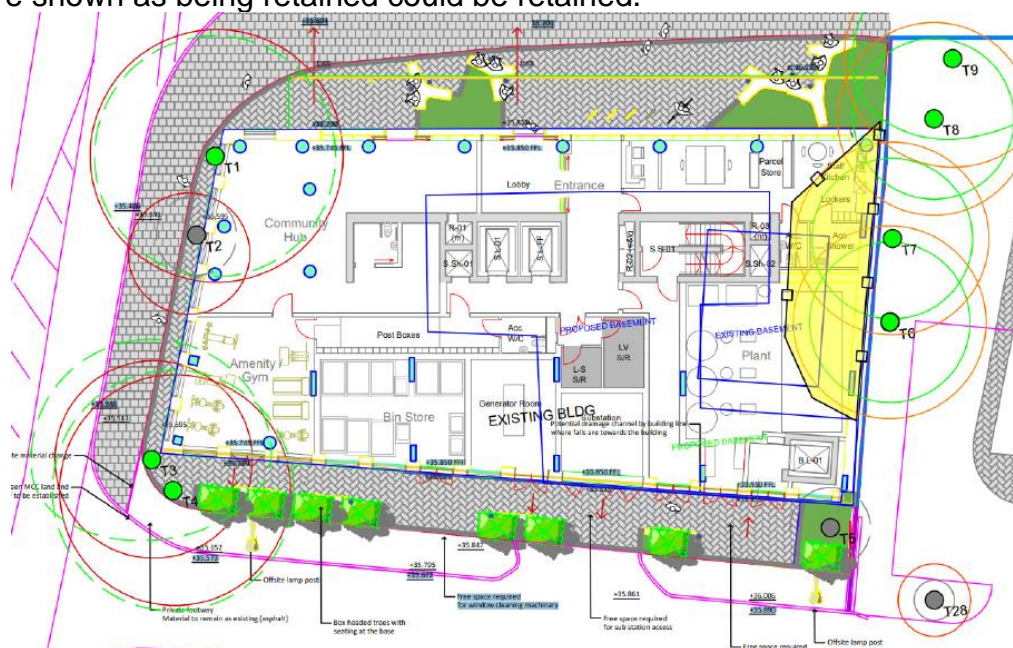
- Can't have land sitting around like that when people need houses.

**Highway Services** No objection in principle and recommend that the applicant funds a car club bay close to the site to allow residents to have easy access to a vehicle on an ad hoc basis. A strategy for Move In/Move Out should be a condition.

The initial comment was made that Cycle parking provision was low and should be doubled, this recommendation was followed. The development, submission, implementation and monitoring of a full Travel Plan should be a condition. A Construction Management Plan should be provided.

**Environmental Health** Recommend conditions relating to Fume/Odour discharge, construction management, hours of opening of the gym / community space/ café, external lighting, acoustic insulation of the gym / community space/ café, acoustic insulation of the residential accommodation, external equipment insulation and refuse.

**Neighbourhood Team Leader (Arboriculture)** Four trees Norwegian Maples fronting Boundary Lane would be removed, 3 of which are Category A, 2 of which have Tree Preservation Orders and offer high visual amenity. Other trees are less significant due to limited visibility and vigour and there are no objections to the 3m lateral branch reduction on the property side but question whether or not the trees that are shown as being retained could be retained.



**Corporate Property** No comments have been received.

**MCC Flood Risk Management** Recommend the imposition of conditions relating to Sustainable Urban Drainage and the maintenance thereof.

**Work & Skills Team** Request that a condition is attached to any application requiring a local benefit proposal.

**Greater Manchester Police** Support the application subject to the layout issues being addressed and recommend that the physical security measures within the Crime Impact Statement are conditioned.

**United Utilities Water PLC** Request conditions relating to sustainable drainage and maintenance as requested by Flood Risk Management. A water main and public sewer on site must be taken into account in development of the land.

**Greater Manchester Archaeological Advisory Service** GMAAS agrees with the conclusions drawn in the DBA and accepts that any below-ground archaeological remains will not be of national importance requiring preservation in-situ, although a scheme of archaeological investigation and recording will be required prior to the removal of the archaeological remains during the proposed construction works. This programme of archaeological works should be secured through a planning condition. GMAAS will monitor the implementation of the archaeological works.

**Greater Manchester Ecology Unit** The activity surveys recorded no bats emerging from the building, and sufficient survey effort has been demonstrated and no bat roosts identified. However as bats are a mobile species, it is recommended that if building demolition has not commenced within 12 months of the survey date, then updated bat surveys are undertaken in line with R1 of the bat surveys report.

Some bat activity was recorded on the site, therefore it is recommended that any new lighting for the site is designed to ensure no negative impacts on nocturnal mammals such as bats, as per R2 of the bat survey report and published guidance this topic (<https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Tree felling, building demolition and site clearance should avoid the main bird nesting season unless it is demonstrated to the LPA that active bird nests are not present. .

Enhancement for biodiversity are recommended and preliminary ecology report, such as the provision of bat and bird boxes and planting of wildlife friendly species in the landscape scheme, should be secured through a condition.

**Cadent Gas** The applicant was made aware of correspondence received from Cadent Gas for their consideration.

## **Policies**

### **Relevant Local Policies**

#### **Local Development Framework**

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the "Core Strategy"), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided

in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The proposals are considered to be consistent with the following Core Strategy Policies SO1, SO2, SO5, SO6, SP1, EN1, EN2, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12.

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

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

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

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

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

**Policy SP1 - Spatial Principles.** The development would reuse previously developed land to improve the built environment and local character. The proposal would meet a need for student accommodation.

**Policy EN1 - Design Principles and Strategic Character Areas.** The building on site is dilapidated and has a negative impact and there is an opportunity to enhance the area. The proposal would enhance the character of the area and the overall image of Manchester.

**Policy EN 2 - Tall Buildings.** The design is acceptable, appropriately located, would contribute to sustainability and place making and deliver regeneration benefits.

**Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development.** The proposal would follow the principle of the Energy Hierarchy to reduce CO2 emissions.

**Policy EN6 - Target Framework for CO2 reductions from low or zero carbon energy supplies.** The development would comply with the CO2 emission reduction targets set out in this policy.

**Policy EN 8 - Adaptation to Climate Change.** The energy statement sets out how the building has been designed to consider adaptability in relation to climate change.

Policy EN9 - Green Infrastructure. The development includes tree planting and landscaping.

Policy EN14 - Flood Risk. A Flood Risk Assessment has been submitted and this is discussed in more detail below.

Policy EN15 - Biodiversity and Geological Conservation. The redevelopment would have an acceptable impact upon possible roosting bats and breeding birds on the site subject to conditions. The development includes a green roof and other biodiversity gains would be secured by condition.

Policy EN16 - Air Quality. The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and therefore minimise emissions from traffic generated by the development.

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

Policy EN18 - Contaminated Land and Ground Stability. A site investigation, which identifies possible risks arising from ground contamination has been prepared.

Policy EN19 – Waste. The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy has been provided.

Policy T1 - Sustainable Transport. The development would encourage a modal shift away from car travel to more sustainable alternatives.

Policy T2 - Accessible Areas of Opportunity and Need. The proposal would be easily accessible by a variety of sustainable transport modes.

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are of 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.

These issues are considered full, later in this report.

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

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.
5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.
6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street scene either from the proposed development itself or when combined with existing accommodation.
7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.
8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.
9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bed spaces.
10. Applicants / developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

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

For the reasons set out in more detail below, the proposal is considered to accord with relevant policy.



## **Saved UDP Policies**

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

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

The proposal has been designed to minimise the impact from noise sources.

It is considered that the proposal is consistent with the policies contained within the UDP.

## **National Planning Policy Framework**

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific policies are considered to be particularly relevant to the proposed development:

Section 6 (Building a strong and competitive economy) - The proposal would create jobs during the construction period and throughout its operation. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business need and wider opportunities for development. This development would support the ongoing regeneration of the nearby Oxford Corridor.

Section 8 (Promoting Healthy and Safe Communities) states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. The proposal has been carefully designed to be safe and secure. Wellbeing and support facilities are an integral part of the development to support the students welfare. Cycle provision is well catered for at the site and no on site parking would be provided for the students.

Section 9 (Promoting Sustainable Transport) – The proposal is in a sustainable location, well connected to a range of public transport modes which would encourage sustainable travel to the site and would provide convenient and safe cycle storage facilities.

Section 11 (Making Effective Use of Land) – The proposal would make effective use of land utilising a previously developed site in an urban location close to sustainable transport infrastructure.

Section 12 (Achieving Well-Designed Places) – It is considered that the proposals would achieve a well-designed place. The design for the building would be high quality and would be designed to a high level of sustainability resulting in a low carbon building and biodiversity and water management have been considered as part of the scheme.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposed development has been designed in accordance with the ‘energy hierarchy.’ The buildings fabric would be efficient and would predominately use electricity. The scheme includes a drainage strategy designed to meet climate change and reduce flood risk.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would not have a significant adverse impact on ecology and demonstrate that the proposal would not have a significant adverse impact in respect of the natural environment.

### **Planning Policy Guidance (PPG)**

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

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

Examples of mitigation include:

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

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

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

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

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

Design states that where appropriate the following should be considered:

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

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

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

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

## **Other Material Considerations**

### **Guide to Development in Manchester Supplementary Planning Document (SPD) and Planning Guidance (April 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.

### **Report to the City Council's Executive on PBSA**

The Council's Executive endorsed a report regarding PBSA on 9 December 2020 following the outcome of a public consultation exercise with key stakeholders, on PBSA in Manchester. The report was endorsed by the Executive to help guide the decision-making process in advance of a review of the Local Plan. It was requested by the Council's Executive that the report on PBSA in Manchester be considered as a material planning consideration until the Local Plan has been reviewed. The report is clear that Core Strategy Policy H12 retains relevance in how PBSA is developed in Manchester. It sets out that the location of new PBSA should be close to University facilities. The report also highlights how location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits in the provision of accommodation. The report confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. The PBSA report sets out numerous reasons why location is a significant consideration in determining the acceptability of new PBSA developments, such as how: • New stock in appropriate locations represents an opportunity to deliver an improved student experience; • The location of accommodation close to University facilities is a critical issue in ensuring the safety and wellbeing of students; and • Given the current climate emergency and Manchester's commitment to be carbon neutral by 2038, it is increasingly important that the location of student accommodation in Manchester should continue to be driven by proximity to university campuses.

### **Corridor Manchester**

Corridor Manchester is a strategically important economic contributor and a key growth area within the city. The Corridor Manchester Strategic Spatial Framework is a long term spatial plan for the Corridor which recognises that there is an inadequate pipeline of space for businesses and institutions within the Corridor to properly grow and realise its potential. This is evidently a constraint to the realisation of the Corridor Manchester vision. The Framework seeks to strengthen the Corridor as a place to live, visit and work for students and knowledge workers from across the world. The strategy recognises that for the area to continue to be successful there needs to be a focus on the development of a cohesive, inclusive area. The development programme plans to deliver over 4 million sq ft of high quality commercial, leisure, retail, and residential space. Corridor Manchester already contains one of the largest higher-education campuses in the UK with nearly 70,000 students studying at the University of Manchester, Manchester Metropolitan University and the Northern College of Music. These educational institutions are world renowned and Manchester is recognised as a destination of choice for students across the globe. Both the UoM and MMU have put in place growth plans. This includes the UoM's £1 billion capital investment programme to deliver the 'world class estate' needed to support its 2020 vision to be one of the leading universities in the world by 2020. MMU has a ten year Estates Strategy with strategic investment proposals of c£300m. This concentration of students is a key part of the success of the Corridor. It underpins and supports the research activities of the educational institutions, whilst the large population living, working and spending time in the Corridor give the area its vibrancy and contribute significantly to its large economic output. However, Manchester is operating in a highly competitive higher education market. The City must continue to look to enhance the student experience if it is to maintain its position on the world stage and realise its growth aspirations for the Corridor. As at present, the future success of Manchester as a student destination will, in part, underpin the realisation of the Council's aspirations for Corridor Manchester. This requires continued investment in the infrastructure which supports the student population and ensures the student experience remains world renowned. This requires investment in educational facilities but also extends to transport infrastructure, retail and leisure facilities and, critically, high quality and accessible residential accommodation. Consideration must be given to the whole student experience.

### **Oxford Road Strategic Spatial Framework**

This Strategic Spatial Framework adopted in March 2018 can be used to guide decision-making on planning applications.

Paragraph 4.15 states that where the density of development increases, it should be noted that a further premium must be placed on the quality of design and public realm. In development management terms, new development must respond to its context, be mindful of the amenity of all users and existing residents, and contribute positively to public realm and permeability including with surrounding neighbourhoods. Higher density development must have particular regard to architectural quality and consider microclimatic effects carefully. Whilst high density forms of development can be inherently sustainable, strategies must be in place to maximise energy efficiency, carbon reduction and to deal with climate change issues such as green infrastructure, drainage / use and ongoing effective maintenance of Sustainable Urban Drainage Systems (SuDs).

Paragraph 4.16 states that any proposals for taller buildings must be able to robustly satisfy the firmly established criteria for assessing the merits of tall buildings within national and local planning policy guidance, including Manchester City Council's Core Strategy Policy EN2 Tall Buildings and Historic England Advice Note 4 on Tall Buildings. In assessing tall buildings, this means that particular emphasis will be placed on:

- Understanding effects on the historic environment through a visual impact analysis and assessment of verified key views.
- Ensuring that microclimatic effects in terms of wind and sunlight / daylight, do not have an adverse effect on the safety, comfort or amenity of the area.
- Proposals for tall buildings will need to be sustainable. In terms of energy use, the City Council's policy standards will be expected to be properly addressed and where possible surpassed.
- Landmark buildings will need to be of the highest architectural quality and have a positive relationship to the City's skyline.
- They should contribute to the legibility of the area, and the provision of public space and high quality public realm.
- The design needs to be credible and therefore demonstrably deliverable.
- Tall building proposals within key city centre regeneration areas such as Oxford Road Corridor should have clearly identified regeneration benefits.

### **The Zero Carbon Framework**

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

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy

### **The Manchester Climate Change Framework 2020-25**

An update on Manchester Climate Change was discussed at the MCC Executive on 12 February 2020. The report provides an update on the Tyndall Centre for Climate Change Research review of targets and an update on the development of a City-wide Manchester Climate Change Framework 2020-25. The City Council Executive formally adopted the framework on 11 March 2020.

### **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.

### **Central Manchester Strategic Regeneration Framework**

This Strategic Regeneration Framework sets a spatial framework for Central Manchester within which investment can be planned and guided in order to make the greatest possible contribution to the City's social, economic and other objectives and identifies the Southern Gateway area, within which the site sits, as one of the main opportunities that will underpin the Framework, which is extremely important for Central Manchester, the city as a whole and the surrounding area. It is considered that the application proposals will contribute significantly to achieving several of the key objectives that are set out in the Framework, including creating a renewed urban environment, making Central Manchester an attractive place for employer investment, and changing the image of Central Manchester.

### **Legislative Requirements**

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

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

**Environmental Impact Assessment** - The 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 proposal is below the thresholds at Schedule 2 of the EIA Regulations and it is not located within a 'sensitive area,' as such, the proposals do not comprise 'Schedule 2 development' and a Screening Opinion was not sought.

Having taken into account the EIA Directive and Regulations it is therefore considered that an Environmental Assessment is not required in this instance.

## **Issues**

### **Regeneration**

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

The scheme would bring a high-quality building adjacent to 'The Corridor' which would positively respond to the local environment. A key objective for 'The Corridor' is to deliver the accommodation and infrastructure needed to attract students to Manchester and which matches its reputation as a world class place to study. This would ensure that Manchester remains competitive on a global higher education stage.

Once the development becomes operational, it is expected that 5 full time equivalent jobs would be created from the development. The 261 students would generate their own expenditure.

The development would be consistent with the regeneration frameworks for development in the area and would complement and build upon the City Council's current and planned regeneration initiatives.

### **Principle of student accommodation**

The application site is previously developed land in a sustainable location, characterised by a range of types and sizes of residential accommodation and is in close to the Oxford Road Corridor and between the Manchester Metropolitan University Campus and Birley Fields.



Site Context



Existing Building

Proposals for purpose built student accommodation (PBSA) are subject to Core Strategy Policy H12 which sets out criteria that they should meet. The policy aims to ensure they are located appropriately to support the Council's regeneration priorities and also to ensure that they encourage students to choose managed accommodation over HMOs.

The proposal is well connected to and in close proximity to the University Campus.

This development would be energy efficient, including air source heat pumps, electric heating and solar panels, and achieve BREEAM excellent.

The site is highly sustainable and close to amenities and services and public transport. Cycle parking and a Travel Plan would be provided.

The site is in part occupied by pub that has been vacant for some time. It creates a poor quality environment and has raised issues of crime and safety. The proposal would improve the site, provide accessible open space and improve the pedestrian experience, generally improving vitality and safety of the surrounding streets.

Amenity benefits for residents include the use of the indoor community hub. A management plan has been provided and a condition would require further of how the facility would be managed to ensure access by the community.

A condition should require compliance with the Crime Impact Statement and Secured by Design accreditation.

The applicant is an established provider of purpose built student accommodation. A detailed management plan sets out how they would control the management and operation of the scheme. The development would be subject to appropriate acoustic insulation levels.

There are no buildings with a heritage value on the site.

Waste would be stored at ground floor level in an accessible store with sufficient capacity to accommodate recycling and general waste. The management company would manoeuvre the bins from the store to the layby on Booth Street West on collection day and return to the store once emptied. The building operator will provide a twice weekly collection using a private contractor. The collection point for bins from both the Student Residential Accommodation and the Community Hub will be from the temporary bin collection area located adjacent to the proposed lay-by off Booth Street West. The collection vehicle will be able to pull in to the lay-by directly from Booth Street West and pull back in without turning when leaving to merge with traffic

The applicant has demonstrated a need for additional student accommodation. It would be in the immediate vicinity of the Manchester Metropolitan University campus and Royal National College of Music who have written in support of the development. The building would be a managed facility with 24/7 staffing and security.

The applicant has provided supporting information about the deliverability of the scheme.

The report to the City Council's Executive (December 2020) on Purpose Built Student Accommodation in Manchester is a material consideration to decision making process in advance of the review of the Local Plan. This sets out that location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits of accommodation. PBSA should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. This may include parts of surrounding neighbourhoods such as Hulme and Ardwick which are immediately adjacent to the university campuses. Whilst the development site is not in the Oxford Road Corridor, it is in close proximity to the Corridor in Hulme.

**The need for student accommodation**

It is accepted that there is a need for appropriately located PBSA in Manchester. This application proposes 261 bed spaces close to the Universities in a location that meets the requirements of policy H12. Therefore subject to consideration of the detailed matters set out below the principle is considered to be acceptable.

**Tall Buildings Assessment**

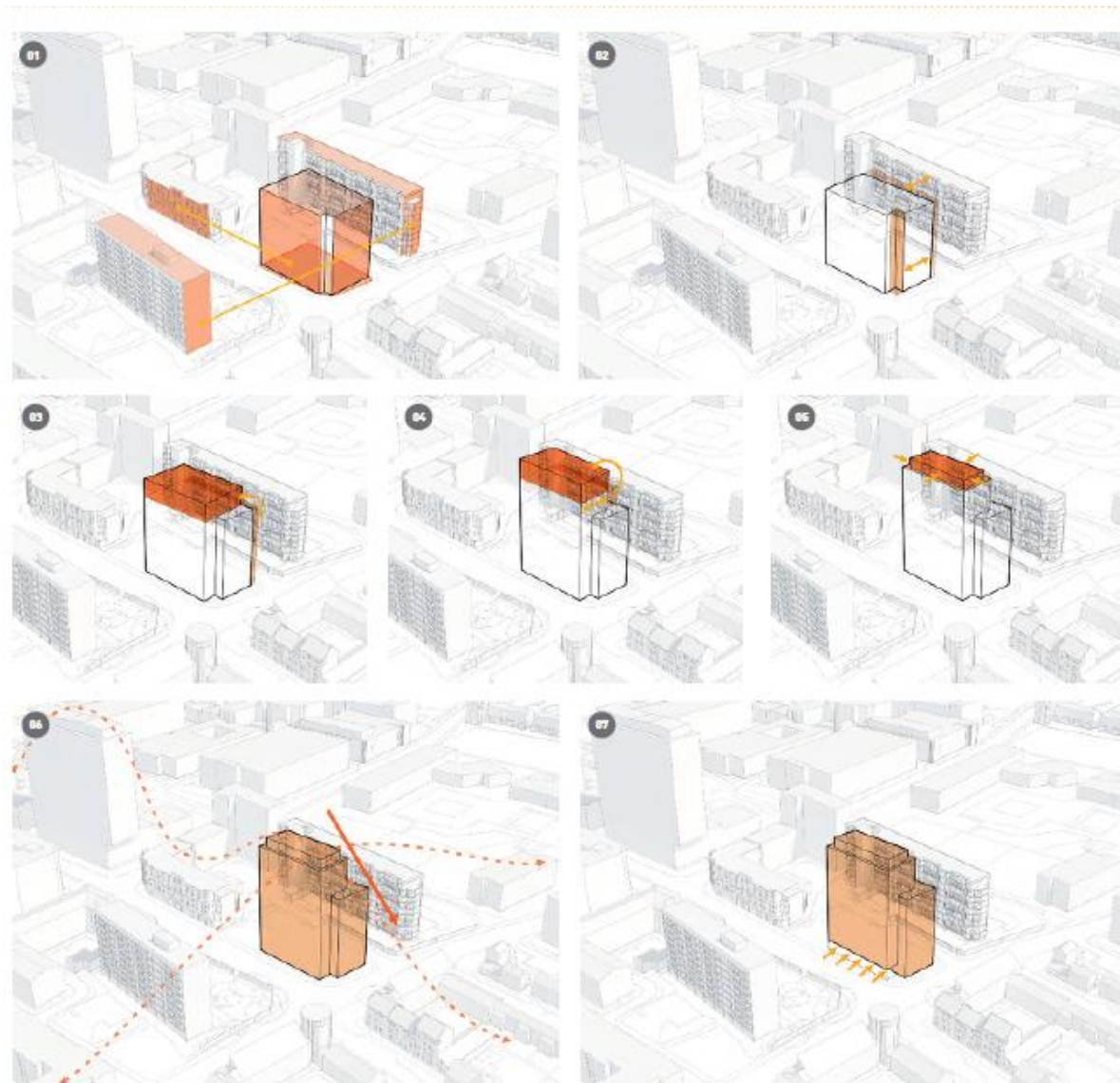
A key factor in assessing the scheme is whether this is an appropriate site for a tall building. The proposal has been thoroughly assessed against the City Council's policies on tall buildings, the NPPF and the following criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABI in July 2007.

**Assessment of Context**

The effect of the proposal on key views is set out in the submitted Design and Access Statement and Townscape and Visual Impact Appraisal.

The following graphics submitted in the Design and Access Statement submitted to accompany the planning application explain the massing concept for the proposed development having particular regard to Cooper House and Hopton Court, building which in themselves are 25.7 and 26m in height.





The above figures set out design decisions taken in relation to massing.

Fig 01. Align gable and heights with Cooper House and Hopton Court

Fig 02. Move mass away from Cooper House and reduce gable width.

Fig 03. Slim down mass to maximise light into Cooper House, redistribute mass by increasing height away from Boundary Lane

Fig 04. Step the higher element away from Cooper House, reduces the impact on the north facing apartments in Cooper House.

Fig 05. Step in top floor to reduce visible impact.

Fig 06. The proposed height creates a peak along Boundary Lane, while creating an anchor point with the Crowne Plaza at each end of Booth St West.

Fig 07. Cut back ground floor, creating a cantilever to increase the public realm.

### Architectural Quality



The elevations would be constructed utilising brick with deep reveals lined with dark bronze metal, expressed headers with textured brick and expressed stretchers with framed opening and perforated panels. The top floor would be clad in a curtain wall system with silver frames with perforated metal panels and back painted glass where solid walls are required to reflect the sky.



Page 307



Given the above, it is considered that the proposal would have a scale, form, massing and visual appearance that is acceptable and would achieve the architectural quality appropriate to a building of its size in accordance with the requirements of Policy EN2.

### **Climate change, sustainability and energy efficiency**

An Environmental Standards Statement sets out the sustainability measures proposed. The building will:

- Be a BREEAM Excellent building,
- Will take a 'fabric first' approach in accordance with the energy hierarchy, together with air source heat pumps to deliver low carbon heating, and solar PV to meet a portion of the building's energy demand and reduce carbon emissions
- Achieve an overall CO2 improvement beyond Part L 2013 of circa 59%, which goes beyond Manchester City Council's minimum policy target (circa 9% CO2 improvement on Part L 2013)
- Propose an 'all electric' energy strategy which future-proofs the proposals by avoiding being locked in to higher carbon mains gas
- Make use of SuDS to ensure that risk of flooding is not increased.

The development is resilient to the impacts of climate change and will reduce overheating through measures such as a green roof and blue roof. These features will also contribute to the SuDS strategy by reducing surface water run-off during storm events.

- Water efficiency will be managed through limiting sanitary fittings and ensuring that no mechanical irrigation will be provided within the development.
- Biodiversity enhancement measures are proposed, including replacement planting of wildlife attracting trees, provision of nesting / roosting habitats for bats and birds, and provision of a green roof.

The scheme will provide 126 cycle parking spaces on site within the proposed basement. This is acceptable in principle to Highways subject to monitoring of the usage of the spaces and provision of more as required. As there are 261 bed spaces and the offer equates to 48%.

Given the above, it is considered that the design and construction would be sustainable and in accordance with Core Strategy Policies EN4 and EN6.

### **Contribution to Public Spaces and Facilities**

The proposal would upgrade the pavement environment and bring activity and natural surveillance to the surrounding streets. This would be secured through the imposition of an appropriate condition relating to works to the Highway.

### **Accessibility**

The development would be accessible with all access points and pavement surfaces being level. All units are located along wheelchair accessible routes from vertical circulation cores accessible by lift, with more than the part M required 5% provision of accessible/adaptable bedrooms and studios. 4 accessible car parking spaces are available on street on Booth Street West. To provide for the users of the Community

Hub the applicant will provide internal charging points for mobility scooters. A communal accessible WC has been provided.

### **Ecology and Trees**

An ecological appraisal considers the impact of the development with regards to biodiversity enhancement, lighting, roosting bats, terrestrial mammals including hedgehogs and nesting birds.

Greater Manchester Ecological Unit are satisfied subject to the imposition of appropriate conditions and informatives relating to the protection of bats and birds and the provision of bird / bat boxes.

The scheme does involve the loss of four trees on site and a condition is appended recommending the agreement of detailed landscaping scheme to ensure appropriate replacement planting, the highways works condition also requests that the applicant provides street trees.

### **Effect on the Local Environment**

This examines, amongst other things, the impact of the scheme on nearby and adjoining residents. It includes issues such as impact on daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements and the environment and amenity of those in the vicinity of the building.

#### **(a) Daylight, Sunlight and Overlooking**

An assessment of the impact of daylight, sunlight and overshadowing has been undertaken. Consideration has also been given to any instances of overlooking which would result in loss of privacy.

The following residential properties were assessed:

1. Hopton Court
2. 28 Higher Cambridge Street
3. 57 – 63 Booth Street
4. Trinity Court Apartments
5. Cooper House
6. 94 Boundary Lane
7. 104-110 Boundary Lane
8. 2 Freeman Square



Overshadowing assessments were also undertaken to the amenity space surrounding Hopton Court.

### Daylight

**Vertical Sky Component (VSC)** – This measures the amount of sky visible from a centre point of a window. A window that achieves 27% or more is considered to provide good levels of light, but if with a development in place the figure is both less than 27% and would be reduced by 20% or more, the loss would be noticeable.

**No Sky Line (NSL)** – The no sky line is the divider between the part of the working plane from which a part of the sky can be seen directly and the part from which it can't. This is often given as a percentage indicating the area from which the sky can be seen, compared to the total room area. The deeper the no-sky line permeates the room, the brighter the scene appears. A room will appear gloomy if more than 50% of the working plane is beyond the no sky-line. The working plane is usually taken to be horizontal at 0.85m above the floor in houses.

The BRE Guide recognizes that different targets may be appropriate, depending on factors such as location. The achievement of at least 27% can be wholly unrealistic in the context of high density locations as this measure is based upon a suburban type environment, equivalent to the light available over two storey houses across a suburban street. VSC level diminishes rapidly as building heights increase relative to the distance of separation. Within high density locations the corresponding ratio for building heights relative to distances of separation is frequently much greater than this.

BRE guidelines note that windows below balconies typically receive less daylight. As the balcony cuts out light and even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight [NSL]. One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situations, without the

balcony in place. [...] this would show that the presence of the balcony rather than the size of the new obstruction, was the main factor.

## Sunlight

The BRE guidance sets out that if a habitable room has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
- Received less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours.

## Overshadowing

Section 3.3 of the BRE report gives guidelines for protecting the sunlight to open spaces where it will be required. This includes:

- Gardens, usually the main back garden of a house and allotments
- It is recommended that at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March. Development impact will be noticeable where the area which can receive 2 hours of sun on 21 March is less than 0.8 times its former value.

1. Hopton Court – has 265 windows to 136 site rooms. 160 windows experience a small loss of light, in accordance with the BRE guidelines. The remaining 105 experience a reduction beyond the BRE guidelines 20% reduction criteria.

104 of the 105 windows are either the small secondary windows in the door opening which lead onto the winter garden/balcony area from the living room or are the windows which serve a bedroom behind the winter garden/balcony. The remaining window is a main window to a living/dining room on the 1st floor. This window retains a VSC of 26.95% which is only very marginally below the BRE guidelines.

104 windows are beneath recessed winter gardens/balconies and receive low levels of VSC even for an urban area with VSCs of less than 10%. and even a modest obstruction opposite may result in a large relative impact on the VSC.

## Sunlight

136 rooms have at least 1 window within 90 degrees due south. 87 rooms experience reductions within the BRE guidelines. The remaining 49 rooms are bedrooms, behind the winter gardens/balconies which restricts sunlight. The BRE guidelines suggest sunlight to bedrooms is less important.

## Overshadowing

A small amount of additional overshadowing will occur to the garden area to the south of Hopton Court. However, it will continue to enjoy 2 hours of sun on ground to over 50% of the area, in accordance with the BRE guidelines.

2. 28 Higher Cambridge Street – Known as Victoria Hall is to the north east and is student accommodation.

## Daylight

The results of the daylight assessments (VSC and NSL) indicate that any reductions to this building should be within the BRE guidelines and therefore any reduction is unlikely to be noticeable to the occupants

## Sunlight

Of 16 rooms assessed all have at least 1 window within 90 degrees due south. 15 rooms experience reductions that are within the BRE guidelines. The remaining room is on the ground floor and experiences a reduction beyond the BRE guidelines in the winter months only, yet retains a winter Annual Probable Sunlight Hours of 4%. This exceeds the alternative target of 3%. In addition, it exceeds the BRE guidelines for the annual APSH criteria of 25% with a sunlight level of 47%.

2. 57-63 Booth Street – Is a hostel and has been considered from a daylight / sunlight perspective.

## Daylight

3 windows will experience reductions which are within the BRE guidelines. The 3 windows which experience a loss of light beyond the BRE guidelines are bedrooms and do so to a minor extent.

The daylight distribution results (NSL test) show that all rooms will experience small reductions which are well within the BRE guidelines criteria.

## Sunlight

Of the 17 rooms assessed all have at least 1 window orientated within 90 degrees due south. 14 rooms experience reductions that are within the BRE guidelines. The remaining 3 rooms are the bedrooms which have a lesser requirement for sunlight.

4. Trinity Court Apartment - This is a recently built residential block and the flats have been assessed as dual aspect with access decks on the north and western elevations facing the development site.

## Daylight

82 of 100 windows would experience a small loss of light, in accordance with the BRE guidelines. The remaining 18 experience a reduction of over 20%. However,

each of these is positioned behind the access walkways and currently experience low levels of VSC even for an urban area, with VSCs of less than 6%. In these circumstances, the BRE guidelines recommend carrying out an additional calculation of the VSC without the access walkway in place for both the existing and proposed scenarios. This shows that all the windows would experience small reductions which are within the BRE guidelines.

### Sunlight

All 24 rooms that have a site facing window orientated within 90 degrees due south would experience a reduction which is within the BRE guidelines.

5. Cooper House – This residential property is located directly to the south of the proposed site. The flats are dual aspect with the north facing windows to kitchens, bathrooms or secondary bedrooms. The main living rooms and primary bedrooms are on the southern elevation.

There are 138 windows to 130 rooms with 90 bedroom and 48 kitchen.

Notable reductions of VSC would occur to 73 with the remaining 65 windows having reductions within the BRE guidelines.

The vast majority of affected windows already receive a very low level of daylight because they are beneath a walkway. The results of the alternative assessments show that 70 of the 138 windows (51%) meet the BRE guidelines. Therefore for 5 windows it can be concluded that it is the presence of the balcony, rather than the scale and bulk of the massing which is causing the relative reduction in VSC.

The remaining 68 windows (predominately kitchen windows) will experience reductions beyond the BRE guidelines and should therefore be considered to experience an adverse effect. Whilst the percentage reductions are adverse, it is important to consider the retained levels of daylight and the impact to each flat as a whole before overall conclusions are drawn. It is also considered reasonable to consider the mirror test as set out in the BRE guidelines given the proximity of Cooper House to its boundary with the site.

### Retained Daylight Levels

When considering the 68 windows that do not meet the BRE guidelines 46 retain a VSC above 20%, 18 windows retain a VSC above 15% and 4 windows retain a VSC below 15%.

The light to the 4 windows that retain a VSC below 15% is also obstructed by the lift core structure that projects out from the back of the building.

The 18 windows that retain a VSC above 15% are on the ground to second floors.

For Daylight Distribution 84 rooms experience a reduction that is within the BRE guidelines. Of the 46 rooms that do not meet the BRE guidelines, 29 retain daylight

distribution to over 50% of the room's area which is considered a good level for an urban area.

Overall, the above alternative tests lead to the conclusion that whilst there is likely to be some notable reductions in daylight distribution to some rooms, the various VSC tests show that adequate levels of daylight.

#### Mirror Massing Assessment

The mirror massing test is another way to establish alternative target figures. An image illustrating this for Cooper House (within the confines of the application red line boundary) is given below

	Mirror Massing Retained Average VSC	Proposed Massing Retained Average VSC
Ground Floor	2.82	2.65
First Floor	22.43	19.88
Second Floor	1.35	1.28
Third Floor	4.59	4.34
Fourth Floor	26.61	22.94
Fifth Floor	6.25	4.92
Sixth Floor	29.53	25.06
Seventh Floor	8.29	5.49
Eighth Floor	33.21	28.29

The results of assessing VSC against a mirror image against the proposal on a window-by-window basis, show that some are lower and some are higher but the values are not significantly apart. When averaging the VSCs across each floor level the following results are achieved:

On the ground to fifth floor (inclusive) the retained VSC values are very similar. On the sixth, seventh and eighth floors the Mirror Massing Retained values are slightly higher but the figures for the sixth and eighth floors (which are not affected by walkways above) retain good levels of daylight for an urban area. Overall, the proposed massing is considered to cause the same effect as the mirror massing.

All of the affected flats within Cooper House are dual aspect and the principal habitable rooms (the main living room, dining areas and main bedrooms) are on the opposite side of the building and are not affected.

#### Summary of daylight effects to Cooper House

There would be noticeable reductions in daylight to some of the rear windows of Cooper House. These flats are dual aspect with the main habitable rooms facing away from the proposal and have good levels of daylight and sunlight and will continue to do so.



### Sunlight

4 rooms have windows orientated within 90 degrees due south. Two experience sunlight reductions that are beyond the BRE guidelines but the sunlight levels to these rooms are already obstructed by the lift core structure that projects out from the back of the building.

### Previous Consent for the Site

The analysis submitted also makes reference to a previously consented scheme for redevelopment of the site allowed on appeal in 2008

The massing of that scheme was slightly larger than the mirror massing of Cooper House. The consented scheme would have resulted in reductions beyond the BRE guidelines and is likely to have had a similar effect as the proposed scheme.

6. 94 Boundary Lane – The residential building is to the south west.

### Daylight

The VSC assessments show that all windows, except for 1, would experience reductions which are within the BRE guidelines.

The remaining window is the smaller of two windows to a ground floor room. Both windows are set back beneath an overhang and with the altered balcony calculation would not experience a reduction beyond BRE guidelines.

### Sunlight

No windows or rooms are affected.

7. 104-110 Boundary Lane – The residential property is to the west.

### Daylight

There are 45 windows to 26 rooms. 16 windows would experience a small loss of light, which accord with the BRE guidelines.

The remaining 29 windows experience a reduction that would be noticeable at over 20%. However, each would continue to have a VSC in excess of 20% which is considered a good level of daylight in an urban area.

For Daylight Distribution 21 of 26 rooms experience a small reduction. The remaining 5 would have a DD of over 50% of the room's area which is considered a good level for an urban area. The results show that the minimum is 72% (only 8% short of the BRE guidelines).

### Sunlight

Of the 5 rooms that have a site facing window which is orientated within 90 degrees of due south, the results show that each room will experience a reduction which is within the BRE guidelines.

#### 8. 2 Freeman Square – The building is located to the north west.

##### Daylight

28 to 10 rooms were assessed. 25 of the 28 windows experience a small loss of light, in accordance with the BRE guidelines.

The remaining 3 windows experience a reduction that would be noticeable at over 20%.1 of these is on the ground floor and set back beneath an overhang and is acceptable when applying the balcony methodology. The remaining two are on the upper floors and despite the reduction retain good levels of VSC for an urban area. These are secondary windows, and the primary windows retain good levels of daylight in accordance with the BRE guidelines. The rooms as a whole meet the BRE guidelines. The daylight distribution results show all rooms will not experience a significant reduction in the amount of sky that can be seen.

##### Sunlight

7 rooms that have a site facing window which is orientated within 90 degrees due south. Results show that each room will experience a reduction which is within the BRE guidelines.

##### Overshadowing

The property does not have amenity spaces which require assessment.

Overall the results show that any daylight or sunlight reductions to the surrounding residential properties are generally within the BRE guidelines and therefore unnoticeable to residents. Where the BRE guidelines are not met good levels of daylight and sunlight for an urban area are generally retained.

The windows/rooms within Cooper House which experience the most notable reductions beyond the BRE guidelines, are considered secondary use rooms (i.e. 2nd bedrooms or kitchen) which are predominantly located beneath a balcony/access walkway.

The assessments show that there is likely to be a notable reduction in daylight to some of the rear windows of Cooper House. However, it has been shown that the retained values, when based on what is reasonable for an urban area, and when compared to mirror massing tests, can be considered acceptable. In addition, it is identified that each home is dual aspect with the main habitable rooms facing away from the proposal. These rooms would retain very good levels of daylight and sunlight.

There would be a slight more overshadowing to surrounding gardens on the Spring Equinox (21 March but the space would continue to receive 2 hours of sun on ground to over 50% of the area, in accordance with the BRE guidelines.

In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 125 (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 proposal would result in minor to moderate localised impacts on daylight, sunlight and overshadowing. Such impacts are not unusual in the local context, being more urban with higher density development of a tighter knit grain. The BRE guidance advocates flexibility in such situations, it is considered the relationship of the proposal to surrounding developments responds to its location and particular characteristics. The development is not considered to be unduly harmful to the extent that they would be considered unacceptable and therefore warrant refusal of this planning permission.

### **Overlooking**

Neighbouring property is considered to be sufficiently far away from the application site to not result in any loss of amenity from overlooking.

#### **(b) Wind Environment**

A wind assessment of potential effects in and around the site has considered the wind flows that would be experienced by pedestrians and the influence on their activities. A study area of 500 metres radius around the site was established. Effects beyond this area are considered to be insignificant in line with best practice.

No wind speeds in excess of 15 m/s were identified and the effects would be neutral and not significant to safety

All entrances have recesses which reduce the risk of downdrafts. Seating is located in suitable areas. Once the above mitigation has been applied there will be a slight negative residual effect that is not considered to be significant. The proposal would result in some very minor localised impacts on the wind environment. Such impacts are not unusual in this context and would not warrant refusal of this planning application with conditions remaining safe for their intended use.

#### **(c) Air Quality**

The site is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of emissions from roads. An assessment has considered the impact on air quality during construction and operational phases of development.

The level of construction vehicle traffic is considered to have a negligible impact upon air quality. Dust would be inevitable during demolition, earthworks and construction. Works would be undertaken in accordance with IAQM guidance to mitigate the impacts of dust.

The impacts on air quality once the development is complete would be negligible. The scheme is a car free scheme with students encouraged to cycle with 48% secure on site cycle parking provision. The applicant has also submitted a travel plan and a condition is in place to secure further travel planning measures. Given the proximity of the Universities a large number of students would walk or utilise public transport available on 'The Corridor.'

In light of the above, it is considered that the proposal would comply with policy EN16 of the Core Strategy and the NPPF and the development will not have a detrimental impact on air quality.

#### (d) Noise

A Noise Impact Assessment has been considered as part of the application. The main source of noise from the development are from the construction activities and plant. Consideration has also been given to external noise sources on the habitable accommodation.

Noise levels from construction would not be unduly harmful provided the strict operating and delivery hours are adhered to along with the erection of a hoarding with acoustic properties, silencers on equipment and regular communication with nearby residents. It is recommended that such details are secured by condition.

The proposal is likely to require plant and details area required prior to first occupation and it is recommended that this is included as a condition of the planning approval.

The report also considers external noise sources on the proposed accommodation. The main source of noise would be from the traffic, and other noise along Oxford Road. The accommodation would have to be acoustically insulated to mitigate against any undue harm from noise sources. Further information is required about ventilation measures together with a verification / post completion report prior to the first occupation of the development.

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

#### (e) Fume Extraction

Fume extraction for the commercial operations and kitchen areas could be integrated into the scheme and condition is recommended.

#### (f) Waste Management and Servicing Management

A development of this nature is likely to generate a significant amount of waste which has to be managed on a daily basis. There are challenges in ensuring efficient waste removal including ensuring that waste is recycled.

As part of Host's management of the development, occupants will be required to separate recyclable waste from non-recyclable waste and separate bins will be provided for this purpose within the communal bin area. There is available space within the clusters and studios for the segregation of waste.

Waste would be stored at ground floor level in an accessible store with sufficient capacity to accommodate recycling and general waste bins. The management company would manoeuvre the bins from the store to the layby on Booth Street West on collection day and return to the store once emptied. The building operator will provide a twice weekly collection using a private contractor. The collection point for bins from both the Student Residential Accommodation and the Community Hub will be from the temporary bin collection area located adjacent to the proposed lay-by off Booth Street West. The collection vehicle will be able to pull in to the lay-by directly from Booth Street West and pull back in without turning when leaving to merge with traffic. A condition is recommended to secure appropriate waste management.

A detailed servicing and deliveries strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority to include details of the management arrangements for moving in and out times, taxi pick up and drop off and food and online deliveries and any other associated management and operational requirements.

(g) TV reception

A TV reception study has concluded that the proposal may cause some highly localised disruption to the reception of digital satellite television services to the immediate northwest of the site, particularly around Freeman Square, Millbeck Street and Boundary Lane). Should interference occur, moving satellite dishes to new locations out of any signal shadows should restore good reception conditions. No other interference is expected.

A condition would require a post completion survey to be undertaken to verify the maintenance of at least the pre-existing level and quality of signal reception as identified in the submitted survey.

(h) Water quality, drainage and flood risk

The development has an area of less than 1 hectare and is not located in Flood Zone 2 or 3. A drainage strategy had been submitted with the application for assessment. Appropriate conditions have been recommended by the Flood Risk Management Team.

(i) Designing out crime

A Crime Impact Statement (CIS) prepared by Design for Security at Greater Manchester Police recognises that the proposals will result in the redevelopment of a

building and site that unless re-used or redeveloped quickly will be very likely to be targeted by vandals and criminals leading to an erosion of the quality of the local environment, attracting further criminal activity to the area more widely, all of which is likely to impinge on the quality of life of nearby residents. It is recommended that a condition requires the CIS to be implemented in full to achieve Secured by Design Accreditation.

(j) Ground conditions

There are no unusual or complex contamination conditions. A detailed risk assessment remediation strategy is required. The implementation of the remediation strategy should be confirmed through a verification report to verify that all the agreed remediation has been carried out. The approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

(k) Construction Management

Measures would be put in place to help minimise the impact of the development on local residents. Provided appropriate measures are put in place the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition should require the final construction management plan to be agreed to ensure the process has the minimal impact on surrounding residents and the highway network.

### **Response to comments received from objectors**

Objections have been received on the grounds that the principle of development is unacceptable due to lack of demand for student accommodation, impact on the residential character of the area and that proposal constitutes overdevelopment that is excessive in height and scale that would cause loss of daylight and sunlight, overlooking, and increase impacts of noise and disturbance.

This report provides an analysis of those comments and concerns. The principle of development, contribution to regeneration and need for the student accommodation has been tested, meets the required planning policy criteria and guidance and has the support of education providers. The application site location close to Oxford Road and the University Campuses makes it suitable.

The impact on the amenities of those residents within the existing residential neighbourhood have been considered. It is acknowledged that there may be some localised impacts as a result of the development particularly from change in outlook, impact on daylight, sunlight and wind conditions. In addition, there would be short term but temporary disruption from the construction process. These matters are not considered to be unduly harmful in the context and matters such as construction impacts can be carefully mitigation through a construction management plan.

The operational impacts of the development can also be managed. The student accommodation would be well managed by an experienced operator. Impacts from Waste, online deliveries, servicing and taxis can be managed.

The changes in outlook from surrounding residential buildings and changes to daylight and sunlight are not so substantial over and above those impacts that would result in a mirrored development of the site, therefore those impacts would not warrant refusal.

The proposal would bring significant economic, social and environmental benefits to the city and the local area. This must be given significant weight in the decision making process as directed by the NPPF.

## **Conclusion**

The proposal conforms to the development plan and there are no material considerations which would indicate otherwise.

The proposal represents investment near to 'The Corridor' and is wholly consistent with planning policies for the site (Policy H12) and would help realise regeneration benefits and meet demand for student accommodation in a sustainable location. Significant weight should be given to this. This investment also comes as a critical time as the City recovers from the economic effects of the Covid 19 pandemic.

The design would set high standards of sustainability. The location would take advantage of the sustainable transport network. The site would be car free which would minimise emissions.

Careful consideration has been given the impact of the development on the local area. There would inevitably be impacts in terms of the use and the scale of the building on light, noise, air quality, water management and wind conditions. However, none of these impacts would be unusual with regards to the context of the area and mitigation measures are in place to address them. Waste can be managed with recycling prioritised.

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

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



**Recommendation**      Approve

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application, and the application has been determined in accordance with the policies within the Development Plan.

### **Conditions to be attached to this 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

Context Plan - Existing – Application Location and Ownership Extent 10224-Z0-A-B5D8-G000-XP-XX-001

Context Plan - Proposed - Site Plan 10224-Z0-A-B5D8-G000-PL-XX-001

Context Elevation - Existing - North - Booth St West 10224-Z0-A-B5D8-G000-XE-EN-001

Context Elevation - Existing - West - Boundary Lane 10224-Z0-A-B5D8-G000-XE-EW-001

Context Elevation - Proposed - North - Booth St West 10224-Z0-A-B5D8-G000-EL-EN-001

Context Elevation - Proposed - West - Boundary Lane 10224-Z0-A-B5D8-G000-EL-EW-001

Demolition Plan 10224-Z0-A-B5D8-JC20-XP-XX-001

Façade Details – Typical Curtain Walling, Level 00 10224-Z0-A-B5D8-G251-DE-00-001

Façade Details – Typical Level 13 10224-Z0-A-B5D8-G251-DE-13-001

Façade Details – Typical Lower Volume Typical Bay Study 02 10224-Z0-A-B5D8-G251-DE-XX-001

Façade Details – Typical Upper Volume 10224-Z0-A-B5D8-G251-DE-XX-002

GA Elevation – Proposed – North – Booth St West 10224-Z0-A-B5D8-G200-EL-EN-001

GA Elevation – Proposed - East 10224-Z0-A-B5D8-G200-EL-EE-001

GA Elevation – Proposed – South – Camelford Close 10224-Z0-A-B5D8-G200-EL-ES-001

GA Elevation – Proposed – West – Boundary Lane 10224-Z0-A-B5D8-G200-EL-EW-001

GA Plan - Proposed - Ground Floor (Level 00) 10224-Z0-A-B5D8-G200-PL-00-001

GA Plan - Proposed - Level 01 10224-Z0-A-B5D8-G200-PL-01-001

GA Plan - Proposed - Level 02 Typical Plan Type 01 - Levels 02 to 08 10224-Z0-A-B5D8-G200-PL-02-001

GA Plan - Proposed - Level 09 Typical Plan Type 02 - Levels 09 to 12 10224-Z0-A-B5D8-G200-PL-09-001

GA Plan - Proposed - Level 13 10224-Z0-A-B5D8-G200-PL-13-001

GA Plan - Proposed - Roof Level (Level RF) 10224-Z0-A-B5D8-G200-PL-RF-001

GA Section - Proposed - AA - East Facing 10224-Z0-A-B5D8-G200-SE-AA-001

Planning and Tall Building Statement (this Statement) Gamecock Planning Statement Turley

Design and Access Statement Gamecock Design and Access Statement 10224-SHP-RP-B5D8-DAS01 Parts 1-10 SimpsonHaugh & Partners

Air Quality Assessment Gamecock Air Quality Assessment V3AQ051800 Karius Ltd

Arboricultural Impact Assessment Gamecock Arboricultural Impact Assessment v5 Amenity Tree Care

Archaeological Impact Assessment Gamecock Archaeological Assessment v1.1 Salford Archaeology

Crime Impact Assessment Gamecock Crime Impact Statement 07-1181-02 Rev B Design for Security

Daylight, Sunlight, Overshadowing Assessment Gamecock Daylight Sunlight and Overshadowing Report P2391 v3 Point 2 Surveyors Ltd

Demolition Method and Environmental Management Plan Gamecock Ecology Assessment and Bat Roost Assessment Gamecock Preliminary Ecological Appraisal RT-MME-153624-01 Rev B; Gamecock Preliminary Bat Roost Assessment RT-MME-153624-02 Rev B Middlemarch Environmental Ltd

Energy Statement / Environmental Standards Statement and BREEAM Report Gamecock Environmental Standards Statement Turley Flood Risk Assessment / Drainage Strategy Gamecock

Flood Risk Assessment and Drainage Strategy 20049.00.00.D100 Rev 2 Shear Design

Green and Blue Infrastructure Statement Gamecock Green and Blue Infrastructure Statement 3661 502 TPM LANDSCAPE LTD

Noise Impact Assessment Gamecock Noise Impact Assessment RP 210303 Rev03 MACH Acoustics Ltd Phase 1 Geo-Environmental Assessment Gamecock Preliminary Geoenvironmental Assessment 1909009.001B Parts 1 -3 Tweedie Evans Consulting

Signal Survey, TV+ Radio Reception Impact Assessment / Broadband Connectivity Gamecock Television and Radio Reception Impact Assessment v0.1 GTech Surveys Ltd Statement of Community Involvement Gamecock Statement of Community Involvement V3 Cratus Communications Ltd

Student Management Plan Gamecock Student Management Plan v2 Host. Summary Evidence of Student Need Gamecock Evidence of Need Report 06.04.21 Cushman and Wakefield Townscape and Visual Impact Assessment Gamecock Townscape and Visual Impact Assessment 210423 Turley

Transport Statement / Travel Plan Gamecock Transport Statement and Travel Plan 3302.03 Eddisons Croft

Ventilation Strategy Gamecock Ventilation Strategy B2798 003 Amber Management and Engineering Services Limited

Waste Management Proforma Gamecock Waste Management Proforma  
 SimpsonHaugh & Partners  
 Wind and Microclimate Assessment Gamecock Wind Microclimate  
 Assessment V2.1 Wardel Armstrong LLP

Received 13 May 2021

GA Plan - Proposed - Basement (Level B1) 10224-Z0-A-B5D8-G200-PL-B1-001 Rev 01

Received 06 July 2021

Waste Management Strategy prepared by SimpsonHaugh reference 10224-SHP-RP-WMS01  
 Demolition Construction Management Plan P-1628 Rhomco  
 Technical Note 01 prepared by Eddisons  
 Note on Flood Risk Comment  
 Bat Survey prepared by Middlemarch Environmental Ltd reference RT-MME-153624-03

Received 07 July 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. Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

4. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

5. a) Prior to the commencement of the development, details of a Local Labour 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 Labour 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 Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour 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)

6. No development groundworks shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:
  1. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
    - an archaeological evaluation through trial trenching;
    - dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).
  2. A programme for post-investigation assessment to include:
    - production of a final report on the significance of the below-ground archaeological interest.
  3. Deposition of the final report with the Greater Manchester Historic Environment Record.
  4. Dissemination of the results of the archaeological investigations commensurate with their significance, which may include the installation of an information panel.
  5. Provision for archive deposition of the report and records of the site investigation.
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: 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.

7. No drainage shall be installed until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

8. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
  - a. Verification report providing photographic evidence of construction as per design drawings;
  - b. As built construction drawings if different from design construction drawings;
  - c. 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 promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

9. a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

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

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

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

10. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
- o A construction programme including phasing of works;
  - o 24 hour emergency contact number;
  - o Expected number and type of vehicles accessing the site;
  - o Deliveries, waste, cranes, equipment, plant, works, visitors;
  - o Size of construction vehicles;
  - o The use of a consolidation operation or scheme for the delivery of materials and goods;
  - o Phasing of works;
  - o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
  - o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
  - o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
  - o Locations for storage of plant/waste/construction materials;
  - o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
  - o Arrangements to receive abnormal loads or unusually large vehicles;
  - o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
  - o Any necessary temporary traffic management measures;
  - o Measures to protect vulnerable road users (cyclists and pedestrians);

- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

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

11. a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.
  - b) Prior to commencement of the use hereby permitted confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.
- 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 - To protect residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

12. The hours of opening of the gym / community space / café are to be confirmed, in writing, prior to the first use of the development hereby approved.

Reason - To protect residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

13. a) Before the use hereby approved commences external lighting 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 policies SP1 and DM1 of the Manchester Core Strategy (2012)

14. 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.

15. a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

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 acoustic 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 agreed noise criteria.

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

16. a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from nearby busy roads and any other nearby significant noise sources shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The



approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

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

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

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

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 policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17. 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.

b) Prior to occupation of the development 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 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. Prior to the commencement of above ground works a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

19. 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).

20. The student accommodation element of the development hereby approved shall be used as purpose built student accommodation (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) (including serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).

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

21. Prior to the first occupation of the student accommodation hereby approved, the cycle store shall be implemented and made available for the occupants of the development. The cycle store shall remain available and in use for as long as the development is occupied.

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

22. Prior to the first occupation of the development hereby approved a scheme of highway works and details of footpaths reinstatement/public realm for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Footway resurfacing
- Dropped kerbs/tactile paving
- Creation of a car club bay in close proximity to the development.
- Loading bay on Booth Street West
- Traffic Regulation Orders

Improvements to the public realm including details of materials (including high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

The approved scheme shall be implemented and be in place prior to the first occupation of development hereby approved and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

23. Prior to the first occupation of development, a detailed servicing and deliveries strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of the management arrangements for moving in and out times, taxi pick up and drop off and food and online deliveries and any other associated management and operational requirements. The approved strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing management arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

24. The development hereby approved shall be carried out in accordance with the Framework Travel Plan attached to the submitted Transport Statement.

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

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

- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

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

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

25. Notwithstanding the TV And Radio Impact Assessment received, within one month of the practical completion of the development, and at any other time during the construction of the development if requested in writing by the City Council as Local Planning Authority, in response to identified television signal reception problems within the potential impact area a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before each phase is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

Reason - To provide an indication of the area of television and radio signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Manchester Core Strategy (2012).

26. The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Manchester Core Strategy (2012) policy DM1.

27. Prior to the first operation of the development hereby approved a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

28. The development hereby approved shall only be carried out in accordance with measures detailed in the Environmental Standards Statement, received by the City Council, as Local Planning Authority on the 13th May 2021.

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 (NPPF).

29. 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).

30. (a) prior to the first occupation of the development hereby approved details of a hard and soft landscaping scheme (including appropriate materials specifications and street trees) for the public realm area shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development

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

31. Prior to the first occupation of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The bat and bird boxes shall be installed prior to the completion of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

32. Prior to occupation of the development hereby approved, a detailed Community Access Agreement shall be submitted to and agreed in writing by the City Council as local planning authority. The agreement shall incorporate details including hours of operation, type of community use and associated costs of use.

Reason - To maximise the use of the facilities by the community with regards to policy DM1 of the Core Strategy.

Informative - Under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed. Site clearance should follow the recommendation R4 in the Middlemarch Preliminary Ecological Appraisal (RT-MME-153624-01 Rev B) with regards to terrestrial mammals.

### **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: 130387/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  
 Neighbourhood Team Leader (Arboriculture)  
 Corporate Property  
 MCC Flood Risk Management  
 Work & Skills Team  
 Greater Manchester Police  
 United Utilities Water PLC  
 Greater Manchester Archaeological Advisory Service  
 Greater Manchester Ecology Unit

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

<b>Relevant Contact Officer :</b>	Jennifer Connor
<b>Telephone number :</b>	0161 234 4545
<b>Email :</b>	jennifer.connor@manchester.gov.uk



<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
132530/FO/2021	20 Jan 2022	31 May 2022	Old Moat Ward

**Proposal** Change of use of ground floor from Hairdressing Salon to Bar/Restaurant (sui generis) together with single storey rear extension, installation of extraction flue and creation of external seating areas

**Location** 320 Wilmslow Road, Manchester, M14 6XQ

**Applicant** Mrs Natalie Power, 12 Dene Hollow, Stockport, SK5 6XX,

**Agent** Mrs Suzanne Bratley, Bratley Architectural Ltd, PO Box 3870, Chester, CH1 9DQ

### Executive Summary

This application was deferred by a meeting of the Planning and Highways Committee on the 14<sup>th</sup> May 2022 following a request from the applicant to allow time to revise the proposed scheme in order to address the recommended reasons for refusal.

The amendments have now been submitted as detailed within this report but in brief include, reduced opening hours, removal of external seating and a bin store on a side alleyway and new security measures.

The application is for a change of use of the ground floor of a long-established hair salon/barbers in the Fallowfield District Centre, to provide a café-bar/restaurant at ground floor with a reduced-scale salon in the basement. An existing 5-bedroom duplex residential flat above the property will be retained.

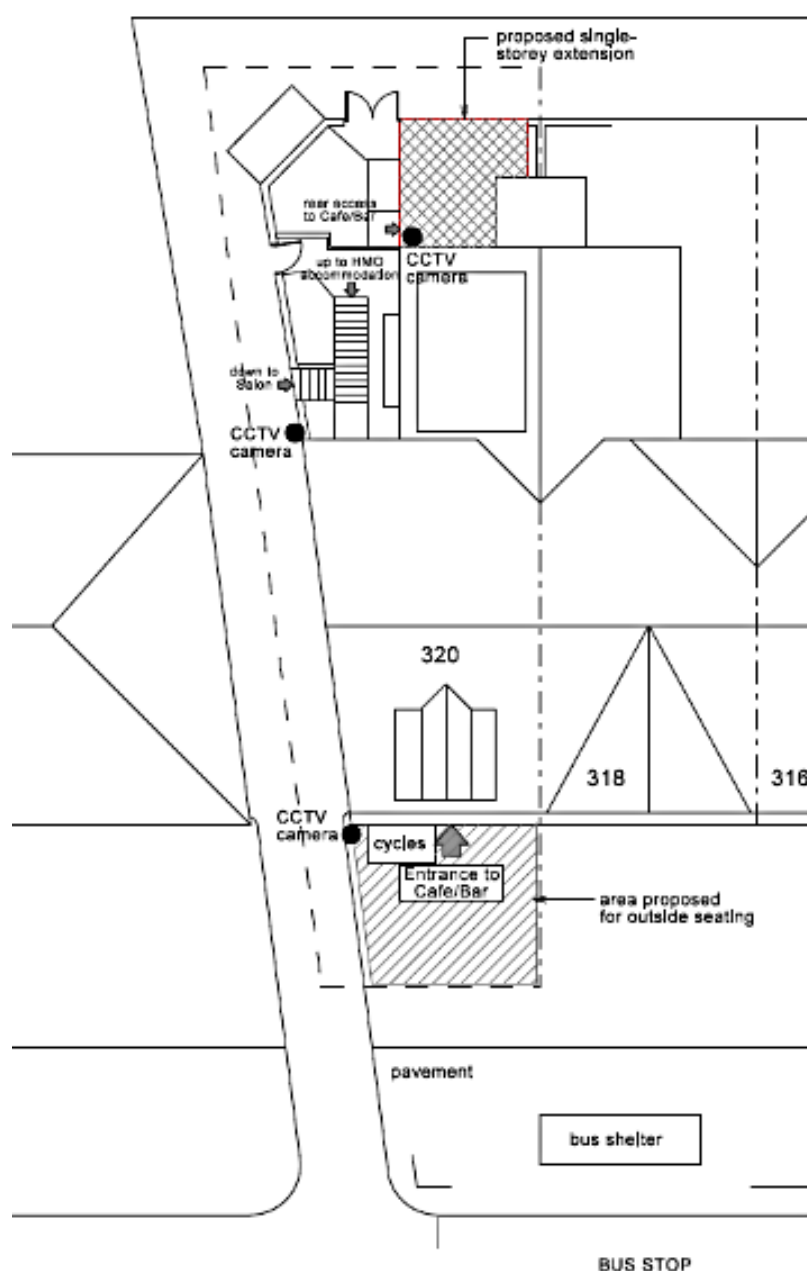
The proposed café-bar/restaurant provides 31no. covers internally and a further 20no. externally. Additional seating that was proposed on a side alleyway in the applicant's ownership has been deleted from the amended scheme, and cycle parking has been introduced on the front forecourt adjacent to the entrance. External seating and cycle parking will be separated from the public footpath by railings which enclose the front forecourt space. On the south side where the forecourt runs along the service road into the side alley, the railings will be erected on a new brick wall. A small (11.2m<sup>2</sup>) single storey rear extension within the rear yard curtilage is proposed to accommodate WC's. Segregated bin storage for the bar and flat are also in the yard and a new enclosed bin store for the salon is proposed towards the rear of the site.

Access for the basement salon and flat is proposed via the unadopted alleyway and a new entrance in the rear yard.

There is no off-road parking associated with the site as at present, but it is well-served by public transport along Wilmslow Road.



### Proposed Ground Floor and External Areas Layout



The statement submitted with the original application notes that the application has arisen following a reduced demand for hairdressing / barbering services due to the number of barbers opening locally and following the Covid-19 pandemic. Details of the 2019 District Centre Survey data are included below, but a more recent survey found that there is still a predominant focus on restaurant (now Class E) and takeaway uses.

The key issues are the balances of uses in the District Centre on the day and night-time economy, residential amenity, crime and access.

The site is within a Licensing Committee Special Policy (2021-2026) area on account of elevated levels of crime within the local police division (E) compared to neighbouring areas. Further details on this policy are set out later in this report.

A total of 1no. letter of support and 7no. objections, including from a local residents' group have been received. Most objectors remain concerned about the prospect of another bar in the area and ongoing issues with noise, disturbance, crime and litter, which they perceive will be further intensified by any approval of the application.

The proposed days and hours of operation have now been revised from:

Monday to Saturday 8.00am to 2.00am  
Sundays / Bank Holidays 9.00am to 11pm

To:

Monday to Saturday 8.00am to 12.00 midnight  
Sundays / Bank Holidays 9.00am to 11pm

A total of 3no. Full time and 1 no. Part time jobs will be created.

### Description

The application site is an end of terrace commercial hair salon of 90.3m<sup>2</sup> that has operated from the premises for approximately 30 years. It is within a parade of 6no. ground floor shop units on the western side of Wilmslow Road with an unadopted alleyway alongside and an adopted alleyway to the rear. The two storeys above the premises offer a 5-bedroom duplex flat.



**Front elevation and alleyway to the side**

Other commercial units in the parade comprise of 2no. hot food takeaways, a café, estate agents and a bar with health club above. In front of the site is a deep tarmac forecourt adjacent to the pedestrian footpath. A bus stop with services from South Manchester is located a few metres away and a traffic-light controlled crossing is a few metres to the south. At the rear of the site is Morris Court, a supported housing block of flats for vulnerable adults. Immediately south of the unadopted alleyway is a hot-food takeaway with a McDonalds drive-through and sit in restaurant to the south of that.

## **Consultations**

A total of 95no. neighbours and 1no. residents' group were notified of the revised application. 7no. objections and 1no. letter of support were received. A summary of the key points raised in relation to the revised scheme is set out below:

## **OBJECTIONS**

Fallowfield needs fewer drinking premises not more  
 It is in a noisy and polluted location  
 Anti-social behaviour linked to alcohol should override this application  
 Reduced hours won't reduce drunkenness, noise and ASB  
 Residents have suffered for years because of students, bars, crime, ASB, and a lack of shops  
 Studying for a Degree in a Student HMO above a Bar surely is incompatible?  
 Local residents hold similar views hence the number of repetitions.  
 Premises selling alcohol all promise to be different and responsible; words are soon forgotten.  
 There will still be after-midnight transient noise from bars and takeaways.  
 Is using security personnel an admission of probable ASB? What about the rest of the week?  
 Don't believe an appreciable number of non-student residents will be attracted to the site.  
 Basement salon won't be a pleasant or DDA accessible location – closure and application to convert basement to support bar/restaurant.  
 Additional bar/restaurant will add further to the cumulative effect on the night-time economy and exacerbate a detrimental effect on residents  
 Noise from existing bars causes disturbances locally.  
 Litter from external seating areas. Makes me feel ashamed.  
 No parking means more cars on street and less space to put them.  
 Many older people find an area with an imbalance of students quite frightening, especially when alcohol is involved.  
 It will add further nighttime noise and activity to an already highly stressed area.  
 There is no shortage of provision of bars and restaurants.  
 The area needs a more balanced retail offer.  
 Please consider encouraging a greater mix of shops in Fallowfield.  
 Applicant overrides/belittles policy.  
 Planning grounds for refusal cannot be dealt with by conditions.  
 If application is approved, it will forfeit the planning / decision-making process.  
 Salon working conditions will be claustrophobic.  
 No comparison between Burton Road and this development.

Every new food outlet says how well run it will be and that it will be an improvement to the area.

The outlet degenerates into an eyesore and attempts all sorts of late night/early hours trading practices and impacting very negatively on the well-being of local full-time residents.

#### Fallowfield & Withington Community Guardians

It is still contrary to planning policy SP1 to provide a sustainable neighbourhood of choice.

There *is* a lack of retail diversity and an overabundance of restaurants and takeaways which *does* impact negatively on the neighbourhood.

Neighbourhood sustainability will not be helped by another venue with alcohol.

Another bar with outdoor seating will add to the significant problems already experienced (and which have led to MCC designating a special Cumulative Impact Licensing Policy in Fallowfield District Centre).

There are 52 licensed premises in Fallowfield many of which have a licence for alcohol. Another bar will not add to the diversity or enhance a sustainable community.

Applicant refers to West Didsbury as a model. It is noisy and detrimental to residents. Streets are packed with cars and it doesn't have a student population.

Air pollution makes it unsuitable for external seating.

Conditions for closing of external seating, no takeaway food, seated dining in the restaurant, no piped music externally and any change of use of basement to require a new application.

#### SUPPORT

The ambition of the applicant to improve the ambience of Fallowfield village is completely genuine.

She has a strong personality and would not countenance any nonsense or anti-social behaviour from her prospective customers.

Ward Councillors - Gavin White, Garry Bridges, Suzannah Reeves.

We are pleased to see that the application has been amended to reduce the opening hours to suit the residential area in which this building is located.

We welcome the comments from the applicant about using this site as a community cafe and venue for local residents in Fallowfield.

If the scheme is approved, we would also like to raise that we would like a condition placed on the use of the outside seating area so that it can't be used from 9:30pm onwards to avoid any noise issues for local residents in the immediate area too.

#### Greater Manchester Police (Design for Security)

Greater Manchester Police have not objected to the revised scheme but have recommended several security measures for the building and external areas to

reduce the risk of crime. These are appended as Informatives at the end of this report.

### Highway Services

Previous comments on trip generation and junction capacity, accessibility, parking and access, boundary treatments and CMP still apply. Updated comments on changes to the cycle parking, external seating and waste is provided below.

#### Cycle Rack

A 'cycle rack' is proposed for the use of staff and visitors. For avoidance of doubt the cycle rack should be secure and sheltered.

#### External Seating

Important that the seating areas are located within the red line boundary of the site and do not impact on the adopted highway.

Highways have concerns of vehicular parking along/across the unadopted alleyway which will impact on pedestrian safety and potentially block the pedestrian crossing in place along Wilmslow Road. Additionally, Highways has concerns about the lack of parking within proximity of the site.

#### Refuse And Waste

Three refuse stores are noted within the site. It should be clarified whether the refuse collection will be private or undertake by the Council and if the vehicle will enter the alley or bins will be taken to a collection point. If the waste vehicle is presumed to enter the alleyway then Highways have concerns about the proposed waste collection. For clarification refuse vehicles should enter and exit the road in forward gear. The vehicle should be able to manoeuvre as such that vehicle wheels do not impinge onto the footway.

### Environmental Health

Appropriate conditions are recommended in relation to the extraction of fumes, odours, acoustic insulation, opening hours and servicing and delivery hours should the application receive any approval.

### ORIGINAL CONSULTEE RESPONSES

For information, it is noted that residents and Councillors raised the concerns below on notification of the original application before the amendments in the current application were made:

Yet another bar/restaurant in the Fallowfield area.

Blighted by anti-social behaviour from students coming back late at night drunk including on neighbouring roads.

Thought should be given to the wellbeing of the permanent residents in this area.  
Noise disturbance and anti-social behaviour of students.

More demands on police services.

Permanent residents put up with noise and asb (awful and ongoing refuse issues, drug dealing and street noise all night long as well as partying).

Fallowfield needs to be regenerated as a more balanced community.

More bars, especially with outside seating will add to current issues.

Safety and environmental issues (bins - disability obstruction, fly tipping, graffiti)  
Unbalance in the neighbourhood; greater number of takeaways/licensed premises than other shops and community amenities.

Perpetuates the view that Fallowfield is an area for students alone.  
Fallowfield needs to be rebalanced as a neighbourhood for families; need to think about the make-up of shops and businesses.

An upmarket restaurant and bar can encourage movement. However, another licensed premises is likely to exacerbate existing problems which make Fallowfield extremely unattractive to most families or working people.

This is a Cumulative Impact Area. Consider the impact on the local community.  
Transient noise is damaging resident's health; frequently woken by drunken people, screaming and shouting in the street in the early hours of the morning.

Streets are littered with takeaway wrappers and broken bottles from people eating after frequenting these bars.

Have lost many varied shops and businesses to bar after bar after bar, and fast food place after fast food place.

More local amenities like smaller shops are needed for residents that aren't just students. Maybe a bookshop, greengrocers, bakery etc.

Countless bars exist in the local area and regularly change hands, leading to a complete lack of identity.

Why should a viable business at the location for many years be forced out to become yet another bar.

The Council should be including diversity and helping to build back high streets with a wide range of local business, not just repeatedly selling out everything to flat developers, takeaways and restaurant bars.

Rejecting this proposal will show continued commitment to developing the area away from its existing status as party town with a smattering of disgruntled permanent residents, and into a thriving South Manchester conurbation. An area with diverse

businesses, diverse culture and not simply the drab heterogeneity of cheap beer, bad kebabs and severe haircuts.

Can see no benefit of this application to the community.

Any bar or restaurant will only last during the academic months and then close leaving the residents with closed establishments until another bar or restaurant opens, as it has happened several times before. This cycle really needs to be stopped as it's really damaging to the community.

Relocation of the salon to the basement. How will this help, there is no DDA access Location of the application would only increase the problems due to the closeness to the Nest bar, Friendship Inn and McDonalds.

Use of outside drinking area by a main traffic junction would be a public safety concern.

For older people and children, Fallowfield is becoming unsuitable and uncomfortable. The whole venue can be sold on to a club promoter as a nightclub venue with all the resultant problems of ASB.

Building of bin store on the side alley would impede access for emergency services that could be required for either the basement salon or the rental accommodation. Waste management arrangements for the salon should be co-located with the 'pub/restaurant' bins.

This part of Fallowfield is not an extension of university campuses, full-time residents comprising families, senior citizens, supported living homes, a mother and children refuge, residents with day jobs live here and should expect a good quality of life and not suffer from sleep deprivation. I really don't think this application will make a positive contribution to the neighbourhood (Core Policy SP1).

The applicant notes there is no real opportunity for a sit-down drink/coffee in any of the local establishments. For example, we do actually have a coffee shop in Sainsbury's, there is also Creams together with a Costa outlet. Wetherspoons is another outlet to have a drink/coffee.

The application makes reference to creating a 'high quality community hub, to promote café culture in the area.' I cannot remember how many times we have read this wording in other licence applications and subsequently seen no evidence of high quality when an application has been given the green light and then fails. What guarantee do we have?

The location is at the junction of a very busy road with the resultant air pollution. There does not appear to be any provision for those patrons who may cycle to this establishment, rather than walk.

Hope that there will be no loudspeakers located within any part of the outdoor seating area and any amplification is contained within the building of 320 Wilmslow Road, facing inwards.

Already a large number of bars in this area - cumulative impact of this needs to be looked at.

The opening hours till 2am is a concern – Not the hours of a cafe or community hub. Hours and outside area would cause further and significant harm to local residents and add to the loss of residential amenity through increased noise, litter and ASB. External seating area outside 310 Wilmslow Road, has caused numerous and significant local issues with increased ASB, Noise and Litter.

#### Councillor Gavin White

Already a large number of bars in this area - cumulative impact of this needs to be looked at.

The opening hours till 2am is a concern – Not the hours of a cafe or community hub. Hours and outside area would cause further and significant harm to local residents and add to the loss of residential amenity through increased noise, litter and ASB. External seating area outside 310 Wilmslow Road, has caused numerous and significant local issues with increased ASB, Noise and Litter.

#### South East Fallowfield Resident's Group

Cumulative Impact Licensing policy shows that premises of this nature have been linked with a range of anti-social behaviours, in particular, related to alcohol consumption.

This a densely populated residential area, not a city centre.

Any loud comings of goings from these premises will have an adverse impact on local residents and affect their ability to get a decent night's sleep.

At every residents' meeting, noise and litter have been highlighted as major concerns. The cumulative effect is damaging health and wellbeing.

Support diversity and balanced neighbourhoods. It is an homogeneous area – not good for the health and wellbeing of the community as a whole.

A daytime cafe/bookshop/playgroup etc would be much more appropriate. Hard to understand how a hairdressing salon which is described as 'not secure' can successfully operate in the basement of a bar.

If this hairdresser's does not survive, we are left with a ground floor bar with the possibility of further extension into the basement.

Planned outdoor seating will exacerbate noise and litter problems in the area - we often notice broken bottles; cigarette ends and general rubbish around local bars and this is more apparent when there is outdoor seating.



The premises does not have parking and so patrons will have to park on nearby side streets - cause problems for residents on streets nearby. Members already report that they have their driveways blocked by people visiting the pub.

### Fallowfield & Withington Community Guardians

Another late-night bar will be detrimental to the residential amenity of residents.

There are many residential properties nearby.

Another bar will add more noise, nuisance and litter to our area which is already overburdened with all of these issues.

Opening hours are completely inappropriate in a residential suburb - detrimental to residential amenity and wellbeing.

This is within a Cumulative Impact Policy area and is the only one in Manchester. MCC and GMP have evidenced the problems linked to the large concentration of licensed premises in Fallowfield. Another late-night venue selling alcohol, will add to existing problems.

Outdoor seating is inappropriate on pavements adjacent to the busiest bus route in Europe (Wilmslow Rd) which regularly has air pollution levels exceeding WHO levels.

Many other businesses would benefit the local community (eg sports goods, bookshop, charity shop, delicatessen, bakery).

Application is contrary to Policy SP1 - Sustainable Neighbourhoods of Choice.

### **Policy**

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan unless material considerations indicate otherwise. The following local and national policies and documents constitute material considerations:

National Planning Policy Framework (NPPF, July 2021)

The National Planning Policy Framework (July 2021) sets out the Government's planning policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development and that achieving sustainable development in the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) 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);
- d) 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;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

The following chapters are material to the consideration of this application:

Chapter 6 - Building a strong, competitive economy

Paragraph 81 of the NPPF notes that:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the

need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

## Chapter 8 - Promoting healthy and safe communities

Paragraph 92 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

## Chapter 12 - Achieving well-designed places

Paragraph 130. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) 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);
- d) 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;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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<sup>9</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

## Core Strategy

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant

elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development.

#### Policy C1 – Centre Hierarchy

District centres have an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. They are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Manchester's 17 district centres are shown below including the newly designated district centre, Baguley (West Wythenshawe). Development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.

#### Policy C2 – District Centres

Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.

Development in District Centres should:

Prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active;

Promote the development of employment which provides opportunities for local people;

Promote the efficient use of land, particularly through considering options for multi-storey development. New development should positively contribute to the reuse and regeneration of land and premises, together with wider regeneration and investment strategies;

Contribute positively to the diversity and mix of uses within centres without undermining their primary retail function. Development should also promote a range of retailers and shop formats;

Promote choice and competition particularly where development will support the independent sector;

Remedy deficiencies in areas with poor access to facilities.

New development should respect and enhance the character of existing centres.

#### Policy C6 – South Manchester (including Fallowfield)

Across the area there is capacity for both further convenience and comparison retailing floorspace. In total, approximately 8,000 square metres of convenience and 4,500 square metres of comparison retail floorspace will be promoted up to 2027.

In Fallowfield and Withington development which creates more diverse centres will be supported, in particular involving improvement to the retail offer to meet the full range of residents in surrounding neighbourhoods and promoting community uses. Development of the University of Manchester facilities adjoining Fallowfield District Centre will be supported as a means of improving the balance of uses within the centre.

#### Policy C10 – Leisure and the Evening Economy

New development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact – in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity – the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.
3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

When considering the impact of a proposed bar or hot food take away regard will be had to the above policy and also:

The existing number of similar establishments in the immediate area and their proximity to each other;

The type and characteristics of other uses, such as housing, shops and public houses;

The existence of vacant shop units and the condition of the unit;

The importance of the location for local shopping, and the number, function and location of shops that would remain to serve the local community;

The character of the centre and its frontage, and the nature of the use proposed;

The potential impacts of the proposal on the wider community; and

Any known unresolved amenity, traffic or safety issues arising from existing uses in the area.

#### Policy DM1 – Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

## Policy SP1 – Spatial Principles

The key spatial principles which will guide the strategic development of Manchester to 2027 are:

The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high-quality city living.

Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.

## Core Development 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.

making a positive contribution to the health, safety and wellbeing of residents

considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.

protect and enhance the built and natural environment.

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

## Unitary Development Plan

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. Saved UDP policies that are material considerations in this application are:

Saved policies DC10 (Food and Drink) and DC26 (Noise) of the UDP

Policy DC10 relates to food and drink uses

DC10.1 In determining planning applications for developments involving the sale of food or drink for consumption on the premises, or for hot food to be consumed off the premises (whether or not other activities, such as a nightclub, are included), the Council will have regard to:

- a. the general location of the proposed development, including any reference to the area in other policies in the Plan;
- b. the effect on the amenity of neighbouring residents;
- c. the availability of safe and convenient arrangements for car parking and servicing;
- d. ease of access for all, including disabled people; and
- e. the storage and collection of refuse and litter.

DC10.2 The Council will normally accept the principle of developments of this kind in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices.

DC10.3 Development will not normally be permitted where:

- a. it is proposed outside the general locations mentioned above, or
- b. there is a house or flat on the ground floor next to the proposed business, or only separated from it by a narrow street or alleyway.

DC10.4 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. These conditions may, amongst other things, include limitations on the hours of opening, and the need to deal satisfactorily with noise, fumes, smells, the storage of refuse and the collection of litter.

DC10.5 The Council will consider on their individual merits proposals for larger, free-standing restaurants, public houses, clubs etc. which require a main road location and do not clearly meet the locational criteria set out in policy.

Policy DC26 relates to development and noise

Policy DC26.1 - Relates to the proposals contribution to the local noise environment and the impact of existing noise sources on the development has been assessed, particularly in relation to the proposed residential units.

Policy DC26.4 - Requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 - Relates to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

- 1. Existing traffic conditions;
- 2. The availability of public parking provision in close proximity to the premises, including suitable on-street parking;
- 3. The availability of an adequate loading and unloading area.

The policy states that on the edge of centres and in close proximity to residential units, careful consideration should be given ensuring the lives of people in the local area are not negatively affected by amenity issues.

## **Issues**

### **District Centre Vitality / Viability**

The Council's objective in relation to Centres is to promote a balanced provision of retail and local services, improve existing retail facilities, addressing deficiencies in the retail hierarchy and planning for future growth. The aim is to promote the vitality and viability of the City's centres, encouraging a wide range of services which allow genuine choice in a good quality environment which is accessible to all, helping to reduce car dependency whilst also ensuring centres are a focus for community and civic activity.

In the amended scheme, it is important to assess the fact that the proposal is for a mixed café-bar/restaurant use and that the revised hours of operation places greater emphasis on a daytime café use. The hours of use have been reduced so that the business ceases trading at midnight 6 days a week (revised from a 2am closing) and closes at 11pm on Sundays and Bank Holidays.

In the original proposal, the applicant provided a statement clarifying the business offer. This includes the provision of afternoon teas, pizzas, panini, salads, sandwiches, coffee, cakes, smoothies etc during the daytime and evening. It also aims to be inclusive so that all sections of the community, including those who do not drink alcohol would feel comfortable in the establishment. Additionally, the evenings would offer quiz nights, cheese and wine nights, open mike, soul singers and Elvis impersonators etc. to appeal to a wider demographic, the majority of whom it is stated are not catered for in the existing café-bar/restaurant offer in the District Centre.

The businesses' vision is also that of a community hub, the applicant stating that it intends to build community through events such as a free monthly afternoon tea for elderly residents and, by its diverse food / drink and entertainment offer, to appeal to professionals and graduates.

The Council recognises the vitality that such a venue has to offer and has considered the revised proposal against the alternative option that is open to the applicant. In this regard, it should be noted that a food and drink use with outdoor seating could legitimately operate from the premises where the bar element is ancillary, without the need to apply for planning permission. This is a result of changes which the government made to the Permitted Development regulations, which consolidated a number of land uses into a broader 'Class E', in September 2021. The applicant's fall-back position therefore is to open a café/restaurant with an ancillary bar should permission for the present proposal be refused. The net effect of the fall-back position is that the Fallowfield community could still have a new food and drink establishment at 320 Wilmslow Road, but without the benefits of the reduced hours and other mitigating factors and conditions as suggested in this report. Therefore, it is important to be mindful of this against the extant policies within



the Development Plan which caution against further food and drink expansion where it would be detrimental to the vitality and viability of a District Centre.

For clarity, the proposal still needs to be weighed against Core Strategy policy C10, for the existing provision for food and drink uses in the Fallowfield District Centre and their cumulative impact on the daytime and night-time economies. The policy specifically notes that there will be a presumption against further food and drink uses where their cumulative impact will be detrimental to the character or vitality and viability of the centre. For this assessment, the revised proposal must again be considered in the context of existing food and drink uses which includes hot food takeaways.

The 2019 Fallowfield District Centre survey provides details of the latest land use profiles within its boundary. It notes that of the 72no. business premises surveyed the character of the Centre comprises of (totals by pre-Class E land use):

- A3 bars / restaurants (17)
- A5 hot food takeaways (15)
- Vacant units (12)
- A1 shops (12)
- A2 financial / professional (10)
- A4 pubs (4)
- D2 non-residential (2)
- B8 warehousing (2)
- Sui Generis (2)

This is largely unaltered at the time of the determination of the application with a number of businesses changing within the use class (5 units), a number of additional class E uses (7), additional takeaway uses (3) and an additional bar (A4) within previously vacant units. This equates to 47 out of all 72no. units or 65% of all uses being food and drink related. Any approval of the scheme even as revised, will contribute to an increase in these numbers. However, as noted above, any operation of the premises under the new Use Class E and with an ancillary bar element, will also result in an increase in food and drink uses outside of the formal Planning route.

There is already a concentration of food and drink uses in the parade which has 6no. shop units and 3no. existing food and drink uses, including a fish and chip shop adjoining the site, together with a hot food takeaway immediately adjacent south of the alleyway. There is also a McDonald's to the south of this.

The Council's adopted Hot Food Takeaway Supplementary Planning Document (March 2017), notes that across District Centres, hot-food takeaways account for approximately 10% of land uses. In the Fallowfield District Centre, this figure is considerably higher with an upward trend of concentrations reaching 30% in 2013 and 2015. As noted above, there is a noticeable concentration around the application site.

From the above data, it is clear that the current provision of café-bars/restaurants in the Fallowfield District Centre generally, and specifically in the immediate area, constitutes the dominant land use which attracts a higher footfall during the evening

than many other land uses. Along with the provision of hot food takeaways, which rely on late night trading, the District Centre is overwhelmingly represented by a monoculture of land uses which tips the balance heavily towards the night-time economy.

In the amended proposal, emphasis is placed on the day-time trading element of the business, which would not have the same appeal and character of a pub or bar and seeks to cater for sections of the community who are otherwise excluded from the current food and drink offer.

When assessed against Core Strategy policies C6 and C10, the proposal retains an active use of the premises that is no longer viable as a barbers on the current scale and would appeal to a wider section of the community that includes families. Core Strategy policy C6 covering Fallowfield notes that:

*In Fallowfield and Withington development which creates more diverse centres will be supported, in particular involving improvement to the retail offer to meet the full range of residents in surrounding neighbourhoods and promoting community uses. Development of the University of Manchester facilities adjoining Fallowfield District Centre will be supported as a means of improving the balance of uses within the centre.*

It is noted that the amended scheme continues to attract objections to the use, but also some support on the basis that appropriate conditions are appended to any approval to mitigate how the business is managed. It is considered that the proposed scheme is an appropriate use in relation to vitality and viability for the reasons stated above and subject to mitigation through the recommended conditions.

### Access / Crime

The planning system has an important role to play in creating safe and secure environments, and in reducing crime and the fear of crime. This contributes to the national and local objective of creating safe and healthy communities. Core Strategy policy DM1 requires that development has regard to community safety and crime prevention, whilst Paragraph 92 of the NPPF states that planning policies and decisions should aim to achieve places which “are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”.

The proposal amends the access arrangements to create a new access to the basement hair salon and upper storey flat. The new access is proposed in the side elevation of the rear yard wall which alights onto the side alleyway. Residents of the flat above have uninterrupted visibility as they access the yard to the flat, although the current situation is itself not ideal in terms of crime risk.

In this proposal, residents and visitors to the salon, and delivery drivers etc, will access the rear yard via the alleyway at the side. Amendments in this application have deleted the tables and chairs and salon bin store from the side alleyway. This removes the Council’s concern with the original proposal of crowds congregating and

drinking in the side alleyway and the bin store isolating views of the salon and flat access.

As noted above, the site lies within an extant Licensing Special Policy (2021-2026) area which is exclusive to the Fallowfield District Centre and was introduced on the back of significantly elevated levels of late-night crime and anti-social behaviour associated with licensed premises. Although, it must be noted that this is not a planning policy that can be relied upon to refuse planning permission.

In addition to the above noted amendments, the proposal now includes mitigation measures such as reduced opening hours, CCTV and lighting to external areas, and security staff on the doors on Friday and Saturday evenings. It is considered that these measures would contribute towards reducing the risk of crime that may be associated with the evening use of the site which is anticipated to be busier on Friday and Saturdays.

Greater Manchester Police were re-consulted on the amended scheme and have removed their original objections. Recommendations have been made to improve the security of the internal and external areas of the site which are appended as Informatives at the end of this report.

Conditions are appended at the end of this report which require appropriate security measures to be in situ prior to first use of the site operating and to be retained and maintained whilst the site continues to be in use.

### Hours

The closing hours in the original proposal ended at 02.00am on Fridays and Saturdays. This has now been revised so that the premises would operate between:

08.00 - 00.00 Monday to Saturday  
09.00 - 23.00 Sundays and Bank Holidays

Assessment of the proposed opening and closing times between Mondays and Saturdays until 12-midnight is more closely aligned with the established pattern of closing hours for food and drink uses in the District Centre. Consented hours of use of similar land uses in the District Centre demonstrate that closing hours vary between 11.30pm (353 Wilmslow Road - The Friendship Inn) and 1am (No.310 Wilmslow Road). The Wetherspoons at 306 Wilmslow Road closes at 11.30pm between Sunday and Thursday and is open until midnight on Fridays and Saturdays.

On this basis, the proposal would not be out of character with the pattern of similar land uses and would not result in significant increased levels of noise and disturbance at unsociable hours in the early morning. This was raised by residents as a particular area of concern in the original proposal.

A comment has been raised in response to the public re-notification that use of the external seating area in front of the premises should be conditioned to cease use at 11pm. The Council considers that an earlier closing time of 9.30pm for the external area is more appropriate, reducing any additional noise created from the outdoor

seating area late into the evening. It must be noted that the seating area could be used without any control over opening times if the premises was converted into a restaurant use under permitted development rights.

Servicing and delivery hours are to be managed on condition of any approval as set out at the end of this report.

On the basis of the above, the proposal accords with the provisions of policies C10, SP1 and DM1 of the Core Strategy and saved policies DC10, and DC26 of the Unitary Development Plan, and guidance contained within the NPPF.

#### Noise / Residential amenity

The original proposal was assessed on the basis of the potential for noise and disturbance arising from the late-night use and patrons spilling out onto the street at unsociable hours where transient on-street noise was reported as a major source of concern.

The amended proposal has taken account of these concerns and reduced the proposed opening hours. Saved UDP policy DC26.1, requires that new development does not become a source of noise and disturbance. It is acknowledged that a café-bar/restaurant that proposes live entertainment will be a noise-generating use. However, the reduced opening hours, together with conditions requiring the external seating area to cease use at 9.30pm daily and prohibiting the playing of any amplified sound in any external areas, would mitigate the effects of harmful noise in and around the external areas of the site.

Furthermore, removing the external seating area from the alleyway avoids this narrow space becoming a noise trap which was a concern in the original application, particularly for the impact on the residents of Morris Court at the rear - a supported housing scheme for vulnerable adults, as well as to the residents of the flat above.

The application is accompanied by an acoustic report which has been assessed by Environmental Health. The report does not fully address the requirements of any acoustic condition that would be appended to any approval, specifically in terms of the control of entertainment noise, and therefore a relevant condition is included within the recommendation.

Should the Committee be minded to approve the application, conditions are recommended for further details of acoustic insulation to manage the breakout of noise through acoustically insulating the premises – including against entertainment noise, limiting the hours of use of any external seating areas and through prohibiting the use of amplified sound and music in the external seating areas at any time. With the above appropriate conditions in place, the proposal accords with saved UDP policies DC26.1 and DC10.1 and Core Strategy policy DM1.

Comments have been made with regards to the problem with litter in the local area. The application is considered to be a non-litter generating use. Furthermore, the applicant has committed to maintaining the external environment which should adequately manage any litter within the application curtilage.

## Waste Management

The proposal includes segregated waste for all three uses within the site curtilage including a new secure and enclosed bin store for the salon in the rear alleyway, and waste storage areas for the bar and residential flat within the rear yard.

It is not clear from the application whether the level of waste provision for the residential unit is adequate to meet the needs of all residents individually, or on a shared basis. Environmental Health have sought further clarification on this point and on other matters that are outstanding relating to the estimated volumes and types of waste produced by the development, location of collection points, the number and capacity of bins and frequency of collection. Any approval of the application will therefore be conditional on these matters being adequately addressed in the interests of residential and visual amenity and public health, in accordance with saved UDP policy DC10.1e and 10.4 and Core Strategy policy DM1.

## Visual Amenity

The proposal seeks to demarcate the section of front forecourt that would be used for external drinking and dining, with railings and planters and introduces a flue and single storey rear extension. Elevations of the front boundary treatment have not been provided. There are no objections from Highway Services, and it is noted that a 2-metre footway clearance would be maintained for the adequate passage of pedestrians.

It is noted that within the short stretch of street frontage outside the parade, there is a plethora of street furniture including pedestrian guard rails, post and rail fencing, bus shelters, bollards, waste bins, street signage, telephone kiosks and telecommunications cabinets.

An assessment of the street frontage outside the site and immediate context suggests that the addition of a fenced area would be in character to some extent with the pattern of development in the street scene; for example, the hot food takeaway immediately south of the alleyway has a forecourt demarcated with low railings and accommodates timber picnic tables. Nest bar at 310 Wilmslow Road at the northern end of the parade, also has external seating within a forecourt enclosed with planters. Any erection of the external seating area as proposed would therefore respond to the prevailing pattern of development along this stretch of the Wilmslow Road frontage.

It is noted that a recent application at Nest bar which sought the Council's retrospective consent to retain a covered canopy over an external seating area, has been refused on the grounds of residential and visual amenity (Ref: 132914/FO/2022). Any proposal at the current application site to similarly erect a canopy over the external seating area would also require assessment through a separate planning application, if proposed in the future.

In terms of the rear extension, this has a low-key profile being a flat roof structure that is 3-metres in height, 3.9-metres wide and 4-metres deep. It is proposed to

house 2no. WC's serving the café-bar/restaurant and will be finished in brick materials to match the existing.

New 3-metre-high timber fencing is proposed alongside the WC block and a stainless steel and timber bin store for salon waste is proposed alongside the fence. Together with a condition for colour-coating the new flue to the rear of the building, the development will have an acceptable visual impact particularly for residents living at Morris Court to the rear.

Based on the above, the proposal will have an acceptable impact on visual amenity in accordance with Core Strategy policy DM1 and saved UDP policy DC10.1.

### Disabled Access

The amended proposal makes no alterations to disabled access arrangements. The existing level threshold at the front of the property is retained for café-bar/restaurant patrons who would access this area of the business directly off Wilmslow Road. Residents to the flat above would also utilise the existing arrangements within the rear yard for accessing the rear external staircase.

It is noted however that the use of the basement as a hairdressers is within the existing planning unit and could be used as a hair salon without the need for planning permission.

Furthermore, in considering this provision in her business plan, the applicant has stated that she offers a home visiting hairdressing service, mainly to long-standing elderly clientele which was established during the Covid-19 pandemic to meet existing clients' needs. She has also stated that this home service will continue as part of the business going forward following any approval.

### Parking / Servicing

The site constraints mean that there is no in-curtilage parking associated with the site. Highways have raised a concern with regards to the lack of vehicular access but do acknowledge that this is the current arrangement for neighbouring properties which lack in-curtilage parking. It is noted that a small degree of parking on the front forecourt does occur, but that this will not be an option should the proposal be approved, and the front external seating area is installed.

Patrons visiting the site would need to rely on public transport, which is well-catered for outside the site, taxis or private car using on-street parking. Furthermore, being in the District Centre, a lower expectation of in-curtilage parking associated with new development is common. It is recommended that the applicant explores options for staff cycle parking within the premises which will increase the options for sustainable travel to the site. A condition is appended in this regard.

Highways have raised some concern with regards to arrangements for servicing the site by refuse vehicles, noting that servicing via the side alleyway would entail collection vehicles' wheels encroaching onto the footway. This concern is acknowledged. However, it must be borne in mind that this is an existing commercial

premises in a District Centre with a long history of the site being serviced along with others in the Centre. A strategy for waste storage and collection is required through a condition and this will allow an appropriate strategy to be agreed..

It is anticipated that existing servicing arrangements will be maintained, but any approval will require confirmation of servicing arrangements for final approval.

### Flue

The proposed flue on the rear elevation of the building is of a standard stainless-steel design which terminates 1 metre above eaves level to comply with Environmental Health regulations. Conditions are recommended to ensure that it is painted an appropriate colour which will lessen its impact on residents living in Morris Court at the rear, and that it is acoustically insulated to avoid becoming a new source of noise nuisance to residents.

No details are provided on odours which the flue may generate. However, a condition is recommended which requires the applicant to submit such details to ensure compliance with 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' prior to first use of the development commencing.

### Conclusion

The application originally generated concerns with regards to the balance of uses in the District Centre, opening hours, noise, disturbance, crime, and litter.

Whilst the use remains one of food and drink, the reduction in hours together with the measures specifically amended in this proposal to mitigate crime such as removing alleyway seating and the alleyway bin store, means that the undesirable effects of the original proposal particularly in terms of the impacts due to noise and disturbance and crime, will be reduced.

Based on the above, the proposal is recommended for approval.

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

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

of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation**      Approve

### **Article 35 Declaration**

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application for the reasons outlined in the Planning and Highways Committee report. The proposal has been amended to take account of the Council's, residents', Ward Members' and statutory consultee concerns and is subject to conditions in the interests of residential and visual amenity, crime, security and waste management.

### **Conditions**

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 received on the 17<sup>th</sup> of December 2021 or as stated:

Application form

Location Plan

Existing Floor Plans Ref: 1454/03

Existing and Proposed Block Plan Ref: 1454/02A received on the 10<sup>th</sup> of May 2022

Existing and Proposed Elevations Ref: 1454/05 B received on the 10<sup>th</sup> of May 2022

Proposed Floor Plans Ref: 1454/04 B received on the 10<sup>th</sup> of May 2022

Waste Plan Ref: 1454/06A received on the 10<sup>th</sup> of May 2022

Waste Proforma received on the 20<sup>th</sup> of January 2022

Noise Impact Assessment provided by Noise Assessments Ltd dated 25<sup>th</sup> of September 2021, received on the 17<sup>th</sup> of December 2021

Odour Impact Assessment provided by Noise Assessments Ltd dated 25<sup>th</sup> of September 2021, received on the 17<sup>th</sup> of December 2021

Supporting Planning Statement provided by Civitas Planning Ltd, received on the 17<sup>th</sup> of December 2021

Rebuttal Report provided by Bratley Architecture Ltd, received on the 10<sup>th</sup> of May 2022

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

3) The premises shall not be open outside of the following hours:

08.00 - 00.00 Monday to Saturday

09.00 - 23.00 Sundays and Bank Holidays



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

4) The hours of use of the external seating area at the front of the property in connection with the use of the site as a café-bar/restaurant, shall not be operational after 9.30pm daily.

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 Core Strategy for Manchester.

5) There shall be no playing of live or amplified music within the external areas of the development at any time.

Reason - To protect the amenity of the area from excessive noise pursuant to Manchester Core Strategy policies DM1 and C10 and saved Unitary Development Plan policies DC10 and DC26.

6) The development shall be carried out in accordance with a waste management strategy to be submitted to and approved in writing by the City Council as Local Planning Authority prior to first use of the development. The waste refuse scheme shall include provision for segregated and recyclable waste for all uses within the site, including the residential flat, and shall include the number of waste containers to be provided and a strategy for collection. The waste management strategy shall be carried out in accordance with the approved details for as long as the development remains in use.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) The development hereby approved shall be implemented in accordance with the details submitted on the Proposed Block Plan and in the Rebuttal Statement, including the measures to improve the security of the site and external areas through CCTV, external lighting, and other security measures, before the first occupation of the development hereby approved, and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Manchester Core Strategy (2012).

8) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before first occupation of the development.

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. Details of a paint treatment to colour coat the flue shall also be included.

Reason - To ensure an adequate fume extraction system is put in place in the interest of visual and residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

9) Prior to first use of the development hereby approved, a scheme for the acoustic insulation of the flue and any associated externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location 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 equipment. The approved scheme shall be implemented in accordance with the approved details and shall remain operational thereafter.

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

10) Deliveries, servicing, and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

11) Notwithstanding the cycle storage area shown on the approved plans, the applicant shall explore alternative options for cycle parking which could include a wall-mounted cycle rack for staff within the premises. Any alternative cycle parking provision shall be implemented in full and made available for use prior to first operation of the development hereby approved. The approved scheme shall remain available for use whilst the development is in use.

Reason - To increase the options for sustainable travel to and from the site pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy (2012).

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 132530/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  
South East Fallowfield Residents Association**

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

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	Linda Marciniak
<b>Telephone number :</b>	0161 234 4636
<b>Email :</b>	<a href="mailto:linda.marciniak@manchester.gov.uk">linda.marciniak@manchester.gov.uk</a>

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
133030/FO/2022	23 Feb 2022	31 May 2022	Didsbury West Ward

**Proposal** Erection of two no. part 2/part 3 storey semi-detached dwellings, with associated car parking and landscaping.

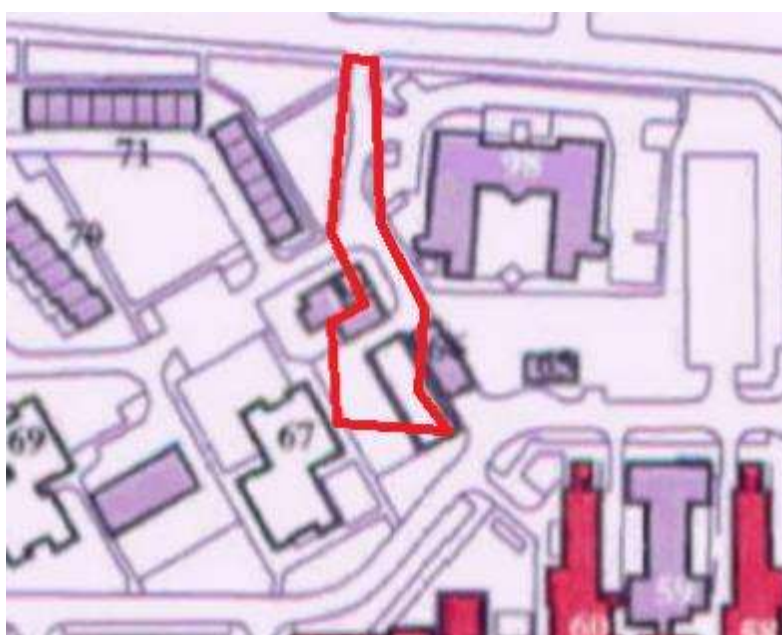
**Location** Land To The South Of Cavendish Road, West Didsbury

**Applicant** Henderson Homes (JV) Ltd, C/o Agent ,

**Agent** Mrs Charlotte Fowler, Asteer Planning LLP, Mynshulls House, 14 Cateaton Street, Manchester, M3 1SQ

### Executive Summary

The proposals relate to the redevelopment of an irregular shaped fenced off and grassed site adjacent to 2,3 and 4 storey residential properties developed as part of the redevelopment of the former Withington Hospital site and single and 2 storey buildings in use as nursing and dementia care homes known as Brocklehurst and Monet Lodge. The application site formed part of the wider former hospital site prior to its redevelopment and previously contained a number of buildings used for support facilities for the wider Withington Hospital complex. The site and land were cleared in the early 2000s and subsequently the majority of the land to the west and south was redeveloped for residential and commercial purposes. The application site has remained in the ownership of the NHS but was not accessible from Cavendish Road, the area was subsequently fenced off from adjacent residential flats within the past two years.



Approximate location of application site overlaid on late 1990s site plan of the former Withington Hospital Complex

The application relates to the proposed redevelopment of the site for residential purposes accessed via the existing vehicular access from Cavendish Road for the erection of a pair of semi-detached dwellings part 2/part 3 storeys in height, with associated car parking and landscaping.

The proposals were subject to notification by way of 34 letters to nearby addresses. In response 12 objections were received, Didsbury West ward members Cllr Debbie Hilal and Cllr John Leech have both made comments objecting to the proposals. The main concerns raised relate to the loss of open green space, overlooking of existing residential properties, potential damage to trees and that the development is a back land development.

The matters raised above are set out and considered in full within the main body of this report.

### **Description**

The application site comprises an irregular shaped parcel of land 0.1 hectares in size which has been fenced off within the last two years. The land is grassed, although historic plans and maps indicate that the site did accommodate buildings and roads relating to the former Withington Hospital Complex most of which were demolished and redeveloped for residential and other uses over the last 20 years. The area is predominantly residential in nature and whilst there has been significant residential redevelopment to the west and south of the site more traditional Victorian terraced properties are located along Cavendish Road and side streets to the north.



Application site is edged in red

The site is accessed via Cavendish Road which is shared with the adjacent Brocklehurst Nursing Home and Monet Lodge building. The western boundary of Albert Park Conservation Area is approximately 100m to the east of the site access with Cavendish Park approximately a further 70 metres east with Cavendish Road Primary School a little further on before Burton Road local centre which is 380 metres from the site access, the tram stop on Burton Road is a further 110 metres away from the edge of the local centre.



The application site is situated between 3 and part 4 storey residential apartment blocks and part 2 part 3 storey houses located on Georgia Avenue to the west and south and the 2 storey Brocklehurst and single storey Monet Lodge buildings to the east. The application site also comprises the access road from Cavendish Road serving Brocklehurst and Monet Lodge.



View south from Cavendish Road towards the site which is fenced, the residential apartment block on Georgia Avenue is to the rear and right of the photograph



View north from Georgia Avenue towards the fenced off site between part 4/part 3 storey apartment block to the left and part 2/part 3 storey residential properties on the right, the application site is beyond the fence and car park in the centre



View north-west towards the adjacent 3 storey apartment block (on the left) and view looking west towards the rear of part 2/part 3 storey residential properties on Georgia Avenue (on the right)

### **Application Proposals**

The proposals are for the erection of two semi-detached dwellinghouses with associated outside amenity space, cycle and car parking spaces and landscaping.

The dwellinghouses are part two/part three storey's in height and would provide approximately 146m<sup>2</sup> of floorspace for future occupiers and are of a contemporary design to reflect newer residential developments in the immediate area. The proposed finishes to the building would be predominantly brick with a variation in brick types and colours. Due to the shape and size of the site the properties would be sited towards the rear of the site with the existing pedestrian and vehicular access from Cavendish Road continued into the site and utilised to provide off -street car parking for occupiers together with elements of hard and soft landscaping.

Each property would have outdoor amenity space together with space for secure cycle storage and waste bins.







## **Consultations**

Neighbouring occupiers were notified of the proposals, 11 objections were received in response and a summary of these is set out below:

### **Ward members**

Councillor Debbie Hilal - The proposed site of the development is the only green space for the neighbouring properties. The green space has become a hub of the community where residents' children can play and neighbours can get together. It was a shock to them to learn, only recently, the land was to be sold for development. I understand the space is also a home for various species of wild life and trees.

We understand the NHS own the land however, we ask that the above is taken into consideration when the development comes before the Planning Committee, and consideration can be given for as much green space as possible to be preserved.

Councillor John Leech - I would like to support the objection to this planning application on the following grounds:

- Loss of open green space, which had been used by residents for many years.
- Overlooking
- The potential for trees to be damaged by the parking spaces that have been created.
- This is backland development.

### **Local residents**

- The area is overdeveloped and this would have a significant environmental impact
- The proposals would cause a loss of rare and vital green space in this densely populated area that has been valuable to the existing community.
- Loss of privacy, adjacent properties and garden areas would be overlooked.
- Cavendish road and Georgia Avenue are already mainly buildings and because of this there are many cars, especially on school pick up times or college pick up times in the Didsbury point area which is next door.
- This green space is going to go also is home to a path where hedgehogs pass and is also a space used by foxes, birds and other animals.
- This erection of two part 2/part 3 storey would most definitely take away privacy, light and peace from our building.
- Traffic and further congestion will be negatively impacting existing residents.
- The windows on the first and upper floors which are to the front elevation of the properties appear to be large in relation to the whole properties, concerned that they do not give the appropriate level of privacy to the rear of adjacent properties.
- The local impact on roads is detrimental to residents that live here especially given that there are 2 schools within 500 metres of the development which already makes the issue of traffic almost untenable.
- The proximity of the houses to our building of nine flats. This is far too close and will completely block out our light. We are already massively overlooked

on all other sides from the block of flats at the back of our building and from the houses and flats on the road.

- The height of the proposed houses would affect light and views to neighbouring houses and flats.
- The parking situation, particularly given it is right between two tram stops, a high school and a primary school, a large block of offices, gym and deli plus all of the attractions of Burton Road and it is on the main access from Burton Road to Princess Parkway. A lot of cars are often left in the area where people park for work, schools or even the airport. Adding more residents and their guests etc, even just through two, four bed houses, is just putting unnecessary pressure on an area.

West Didsbury Residents Association – Object to the proposals.

WDRA take the view that what is now proposed represents only minimal improvement over the previously withdrawn application ref:127178.

We retain concerns about the development's general impact on neighbour amenity due to overlooking, general intensification of occupation and reduced access to open space.

We are also dubious as to the design and adequacy of proposed parking provision, which appears to give little consideration to the needs of pedestrians – be they occupants or visitors, and invite damage to newly planted trees.

Our WDRA Environmental Officer report (above) highlights a long litany of instances where advice of the applicant's own ecology report is not incorporated into proposals, including planting of native species, measures to prompt wellbeing of hedgehogs, bats and birds, and general improvements to present landscaping proposals.

### **Statutory and Non-statutory consultees**

United Utilities - The proposals are acceptable in principle to United Utilities and therefore should planning permission be granted the submitted drainage strategy should be approved and implemented.

MCC Highway Services – Raise no objections to the proposals on highway or pedestrian safety grounds. It is noted that the addition of two residential dwellings would give rise to some additional trips on the highway network, however, it is accepted that the impact that this will generate would be negligible. The site is well accessed by sustainable modes, with regular bus services running along Princess Road and Burton Road. Burton Road Metrolink stop is a 6-minute walk away.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

MCC Flood Risk Management Team – The site is in flood zone 1 and at very low risk of surface water flooding. It is recommended that a surface water drainage scheme condition be attached to any approval.

MCC Neighbourhood Services (Arborists) – Raise no objections to the proposals. It is recommended that all off site trees be adequately protected via the use of non invasive dig methods with root protection areas. All works should be carried out in accordance with BS:5837

MCC Environmental Health – Raise no objections and make recommendations that conditions be attached to any approval relating to construction hours, Air Quality measures, and Contaminated Land for further ground investigation and mitigation.

Greater Manchester Ecology Unit - The applicants ecological consultant identified no significant ecological issues. Issues relating to nesting birds, hedgehog and biodiversity enhancement measures can be resolved via condition and or informative.

No evidence of any protected species was found and the habitats present unlikely to be suitable and easy to check.

An area of ornamental and bramble scrub is present in one area of the site potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition be attached to any permission so that works to trees or shrubs is not undertaken during bird nesting season unless surveyed prior to any clearance.

There are a significant number of hedgehog records in this area (a UK Biodiversity Priority Species) and GMEU are also aware that badgers are present in the wider area.

Hedgehog nest in areas of scrub so it is possible that they utilise the site. They may also fall in to holes created for foundations or drains. GMEU recommend that as part of any permission measures are put in place to protect hedgehog and other mammals during site clearance and construction this would be secured via an appropriately worded condition.

GMEU accept that the proposed planting layout is adequate to mitigate for the loss of a small area of lawn. GMEU recommend however, that the proposed hedge is of a native species such as beech, hornbeam, holly (note slow growing) or hawthorn, at least one bird box is provided on the new building or a retained tree along the boundary and that site permeability is maintained for fox and hedgehog ie gaps under fences. It is recommended that these matters be covered by way of condition attached to any planning approval.

## **Policy**

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

### *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 SP 1 Spatial Principles – The proposal are considered to accord with this policy through its contribution towards the creation of a balanced neighbourhood of choice and creation of a high quality neighbourhood for residents to live in.

Policy H1 Overall Housing Provision – This site is within Didsbury West and would contribute towards the need for additional housing in the city. It is considered that the proposals meet the general requirements of policy H1.

Policy H 6 South Manchester Housing - The proposals accord with this policy through the provision of family homes within South Manchester.

Policy H8 Affordable Housing provision – The application proposals are below both the site size threshold and the number of proposed residential units in order for the provision of affordable housing to be considered against policy H8.

Policy T1 Sustainable Transport – The development provides for secure cycle parking facilities for future occupiers.

Policy T2 Accessible Areas of Opportunity and Need – The proposed development is in a sustainable location.

Policy EN1 Design Principles and Strategic Character Areas - The proposal is considered to be of a design and layout that is consistent with the surrounding residential nature of the site.

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon Development - The proposed dwellings have been designed to reduce energy demand and include the production of on-site renewable energy.

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies – The development incorporates photovoltaic (PV) Technology.

Policy EN 8 Adaptation to Climate Change – The proposals incorporate measures to reduce surface water run off (green roof), draft drainage strategy and production of low carbon energy for occupiers.

Policy EN9 Green Infrastructure – The proposals have been designed to incorporate and retain the trees and incorporate landscaping scheme proposals.

Policy EN14 Flood Risk – The site falls within Flood Zone 1 and is at low risk of flooding. An indicative drainage strategy for dealing with surface water at the site has been submitted alongside the application.

Policy EN15 Biodiversity and Geological Conservation – The development would provide an opportunity to secure ecological enhancements through the sites landscaping scheme.

Policy EN 16 Air Quality – It is not considered that given the scale of the proposals that the development would give rise to significant impacts in terms of air quality. The proposals incorporate cycle parking, and it is recommended that electric vehicle charging points be secured via a condition. The proposals also incorporate renewable energy production on site.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability – An initial ground conditions survey and report has been submitted alongside the application. It is not considered the site poses a risk in terms of contamination.

Policy EN19 Waste – The development would be consistent with the principles of waste hierarchy. The application is accompanied by a Waste Management Strategy, each property would have adequate space for dedicated storage of waste bins within rear gardens.

Policy DM 1 Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

- appropriate siting, layout, scale, form, massing, materials and detail;
- design for health;
- adequacy of internal accommodation and amenity space.
- impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- that development should have regard to the character of the surrounding area;
- effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- accessibility to buildings, neighbourhoods and sustainable transport modes;
- impact on safety, crime prevention and health; adequacy of internal accommodation external amenity space, refuse storage and collection, vehicular access and car parking; and
- impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

The application is considered in detail in relation to the above issues within the Issues section of this report.

### *Saved Unitary Development Plan Policies*

Policy DC6 Housing on Backland Sites – The site is not considered to be a backland location as it is directly accessed via a road. However, consideration of the locational criteria set out in DC6 is considered in full within the issues section of this report.

Policy DC7 New Housing Development – Each property would have level access.

### *Relevant National Policy*

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – The proposals would provide 224 new houses within a sustainable location.

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during the construction period.

Section 8 (Promoting healthy and safe communities) – The proposals have been designed with safety and security in mind.

Section 9 (Promoting Sustainable Transport) – The proposal is in a sustainable location and would provide safe cycle storage facilities within each property.

Section 11 (Making Effective Use of Land) – The proposal would make effective use of land utilising a previously developed site in an urban location.

Section 12 (Achieving Well-Designed Places) – It is considered that the proposals reflect the local character in terms of layout and scale of development and would achieve a well-designed place.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposed dwellings have been designed to reduce energy and include the production of on-site renewable energy.

Section 15 (Conserving and enhancing the natural environment) – The proposal would not have a significant adverse impact in respect of the natural environment.

### Other material considerations

*Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)* - This Supplementary Planning Document supplements guidance within the Adopted Core Strategy with advice on development principles including on design, accessibility, design for health and promotion of a

safer environment. The design, scale and siting of the proposed development is considered in more detail within the issues section of this report but is considered to accord with the general principles set out within this document.

*Manchester Green and Blue Infrastructure Strategy 2015* - The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development. The scheme includes a landscaping scheme.

*Manchester Residential Quality Guidance (July 2016) (MRQG)* – This document provides specific guidance on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. The proposal is considered to be consistent with contributing towards the creation of a sustainable residential neighbourhood in this area.

*Residential Growth Strategy (2016)* – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place as confirmed within other policies of the Core Strategy. It is considered that the proposed development would assist in achieving this growth priority.

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

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

*Manchester: A Certain Future (MACF)* – This is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council (MCC) has committed to contribute to the delivery of the city's plan and set out its commitments in the MCC Climate Change Delivery Plan 2010-20. Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the MCCB to take forward work to engage partners in the city to address climate change. In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these new targets.

*The Zero Carbon Framework* – This outlines the approach that will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was

proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the Tyndall Centre for Climate Change, based at the University of Manchester. Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus, the development of a 'circular economy', in which sustainable and renewable materials are re-used and recycled as much as possible.

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

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

## **Issues**

**Principle** – The site has been previously developed forming part of the wider former Withington Hospital Site before being cleared for redevelopment. It has remained a grassed area since clearance works were undertaken in the early 2000s, more recently the landowner has erected a fence around the entirety of the site. It is understood that nearby residents were able to gain access to this land prior to the installation of the fence and use it as an additional outdoor space, however, the land is not designated as open space.

The principle of redevelopment of previously developed land for residential purposes is generally considered acceptable and supported through adopted local and national planning policies. However, in this instance further consideration is required of the impacts on residential and visual amenity and the character of the area.

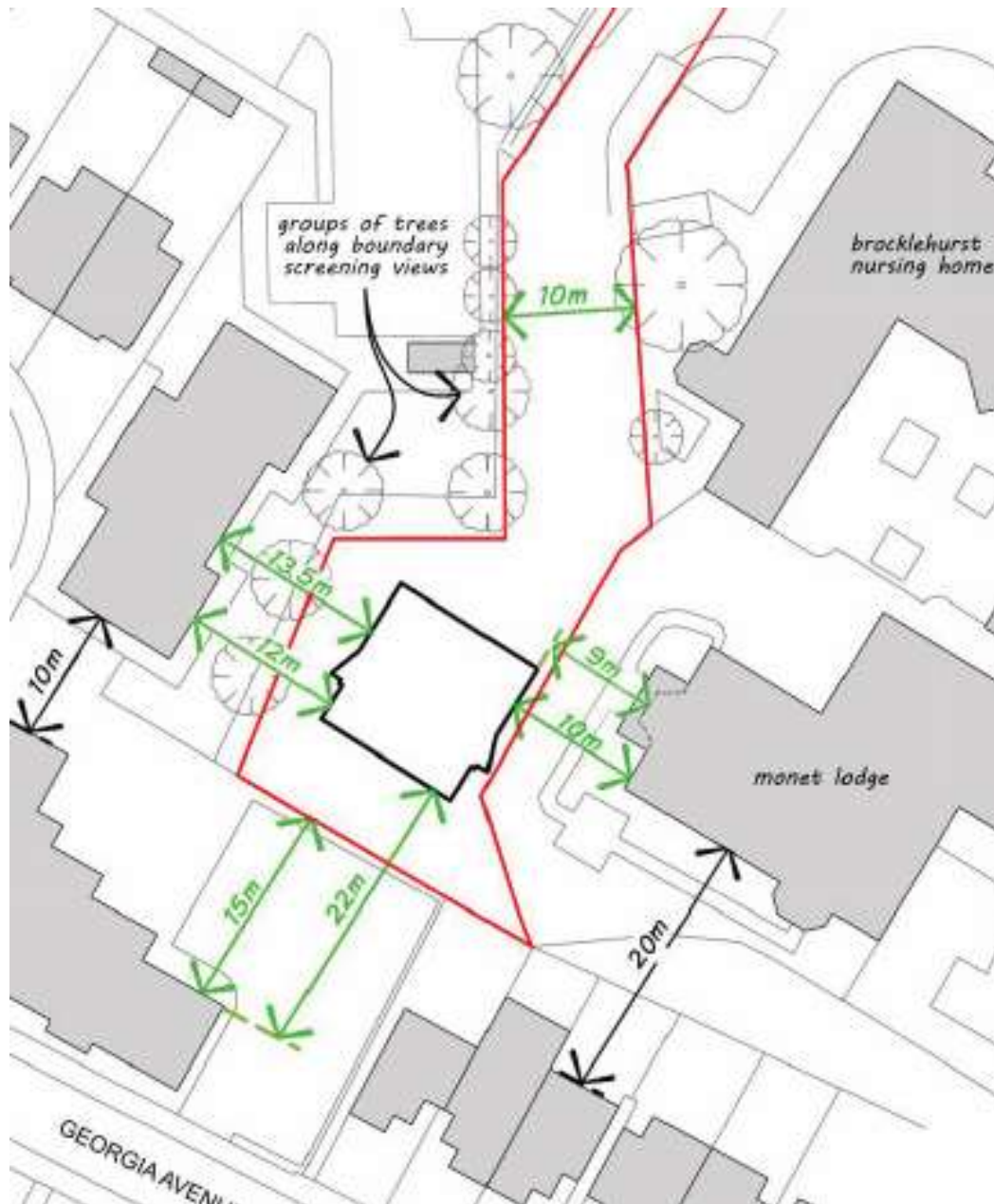
**Climate Change** – The application proposals would result in the loss of a current area of land that consists of vegetation. The site is located within a predominantly residential area in an urban setting and is considered to be a sustainable location in which to see development of further residential accommodation due to the existing infrastructure and services that the development and future occupiers can be readily connected to. As set out elsewhere in this report the land is not currently designated either statutorily or non-statutorily in terms of the quality of the habitat contained within it and whilst it is acknowledged that the proposals would result in the loss of existing green infrastructure a range of mitigation measures are proposed to be delivered through appropriately worded conditions.



The development of new residential properties would offer the opportunity of improving the energy performance of the housing stock in the area through the use of modern materials to ensure a fabric first approach is adopted in terms of the sustainability of the new dwellings and would incorporate a drainage scheme to ensure that the proposals would not give rise to increasing the risk of flooding elsewhere. In addition it is proposed to attach a condition to any approval for the installation of electric vehicle charging points to serve the properties.

Residential Amenity – The application site is located in proximity to a range of existing types and scale of residential properties. To the sites southern boundary beyond the boundary fence is a large parking court for residential properties on Georgia Avenue and a part 4/part 3 storey apartment block to the south west (29-55 Georgia Avenue ) and part 3/part 2 storey terraced properties to the south (57-61 Georgia Avenue).

Given the relationships between existing buildings and between the application site, the applicant has provided a scale, design and siting of a building to address this context, this is demonstrated in the extracts taken from the submitted Design and Access Statement and are set out below.



Extract from the applicants Design and Access Statement providing distances between the proposed building (measurements in green) and existing buildings (measurements in black)



Extract from the applicants Design and Access Statement indicating the proposed buildings scale in context with adjacent buildings

*Overlooking and loss of privacy* - The apartment blocks at 11-27 and 29-55 Georgia Avenue have windows facing towards the application site. Whilst the precise use of the rooms served by the windows is unknown it is anticipated that a number of these would be habitable rooms. It is also acknowledged that there is an entrance to this apartment block on this elevation.



The rear elevation of 11-27 Georgia Avenue





The rear elevation of 29-55 Georgia Avenue

In terms of the apartments at 11-27 Georgia Avenue the applicant has proposed blank side elevations to the proposed building with the majority of windows and outdoor balconies facing south and north, with privacy screens proposed for the side of balconies. There are two proposed windows to the side elevation, but these have been designed to only have directed views southwards so would not face this property. As such it is not considered that the proposals would give rise to overlooking or loss of privacy to apartments within this building.

The apartment block at 29-55 Georgia Avenue is set further away from the boundary with the application site and is separated by the parking court associated with this building and outdoor amenity area. Given the separation distances between this building and the proposed building it is not considered that this would give rise to unacceptable impacts in terms of loss of privacy or overlooking.

The residential properties at 57-61 Georgia Avenue are not situated directly in line or behind the proposed building. It is noted that these properties have external raised outdoor terraces at the rear in close proximity to the single storey Monet Lodge building. Whilst there would be intervisibility between the existing and proposed building given the angle of views and separation distances it is not considered that there would be unacceptable impacts in terms of loss of privacy or overlooking of these properties.

Some concerns have been raised regarding potential impacts on the apartment blocks on Cavendish Road which have rear elevations facing towards the application site.

These properties are in excess of 40 metres from the proposed development, as such there would be no impacts on these properties in terms of privacy or overlooking.

Due to the proposed arrangement of the building and the design of its side elevation it is not considered that there would be unacceptable overlooking or loss of privacy to the Brocklehurst Nursing Home to the east or residents of Monet Lodge.

There are some concerns that the amenity space of one of the proposed gardens would be overlooked by the apartments at 11-27 Georgia Avenue, However, it is not considered that the living conditions of any future occupiers would be impacted to such a degree so as to warrant a refusal of planning permission.

*Loss of daylight and overshadowing* – Given the siting of the proposed development to the north and separation distances it is not considered that the proposal would give rise to a loss of daylight or overshadowing to the apartment block to the south at 29-55 or the residential properties at 57-61 Georgia Avenue.

There is the potential for impacts on the apartment block to the west and Monet Lodge and Brocklehurst Nursing home to the north and east. The applicant has provided a series of sun path studies prior to the development and post development during winter and summer months. This indicates that the greatest impact on the apartment building to the west would be during the morning in the winter months where the development would lead to overshadowing of the central and northern portion of the apartment building. Impacts on the Brocklehurst building would be constrained to the afternoon period in the winter and on Monet Lodge during summer evenings. At other times the proposed development would not give rise to impacts in terms of shadowing of adjacent buildings.



Extract from the applicant's sun path analysis pre and post development during the winter months

*Noise and disturbance* – The proposals relate to the development of 2 four bedroom residential dwellings in a predominantly residential area. Given the limited number of proposed properties it is not considered that the introduction of further residential properties into an existing residential area would give rise to significant or adverse impacts beyond those that would normally be anticipated for such a use. General activity associated with the proposed residential dwellings would be of a similar nature to those residential properties already in the area and would not be expected to lead to unusual or unacceptable levels of noise.

The introduction of additional car parking would create associated movements and noise with vehicles along the access road. However, this is adjacent existing areas of car parking associated with adjacent residential properties and is separated by a boundary fence that would assist in reducing such impacts. Such activity and movements of vehicles is not considered to be so significant given the relatively small number of proposed dwellings to warrant refusal of the proposals.

It is acknowledged that the proposals are in proximity to a number of residential and institutional buildings of varying scale and proximity to the application site. The introduction of a built form on the site would result in a change in context to a number of these. However, it is considered that the proposals would not result in significant impacts in terms of residential amenity that would warrant refusal of the application. As set out above the proposals have been designed to have windows facing north and south with adequate distances between existing and proposed habitable rooms. The design of the windows to serve en-suites within the side elevations would provide limited and directed views southwards and have sufficient separation distances from existing residential properties. Given this proposed arrangement and context it is considered necessary to attach a condition to any approval removing permitted development to allow the insertion of further windows or doors into the proposed building.

*Visual Amenity* – The proposed semi-detached dwellings are two storey with third storey setback with a flat roof. The height of the proposed building is similar to that of the neighbouring 11-27 Georgia Avenue and one storey less than the building at 29-55 Georgia Avenue. The design of the proposals attempts to reflect the varying scales of the immediate context with elements of the design picking up on these differing building heights.

The proposals are to be predominantly finished in brick with the applicant indicating the use of three differing colours of brick – light buff, buff and white bagged brick some of which would be set within a frame of glass reinforced concrete. It is considered that the design and materials indicated would create dwellings that would successfully assimilate into the area where there is a range of property types and materials used.

As the building would be set back from Cavendish Road, views from the public highway would be limited although as with the existing apartment blocks to the rear of the site would be visible. There would be views of the rear of the building from the parking court associated with the apartments on Georgia Avenue, these views would predominantly be of the glazing of the windows to the rear of the building. Other views would be from existing residential properties to the east and the site to the

west of the side elevations. Whilst the side elevations have been designed to have limited windows facing outwards the arrangement and variation of brick finishes proposed would assist in adding interest to what would otherwise be blank gable walls.

#### MATERIAL PALETTE



Proposed materials for the external envelope of the building

**Space Standards** – The proposed four bedroom properties measure approximately 146m<sup>2</sup>, which exceeds the minimum area of 121m<sup>2</sup> set out in the Nationally Described Space Standards. In addition to the interior area, a roof terrace of 15m<sup>2</sup> and a bedroom balcony of 4.7m<sup>2</sup> are given to each property. Each property is also provided with private external amenity space.

**Waste Management** – A dedicated refuse store is proposed to each dwelling, forming part of the shared vehicle access and turning space. The refuse stores have been sized to accommodate four 240l wheelie bins. Residents would be expected to present the bins for kerbside collection at Cavendish Road on designated days. Given the proposals relate to two residential units these arrangements are considered acceptable.

**Landscaping and trees** – The application proposals would result in the loss of a hedge on site, no trees are proposed to be removed. The application is accompanied by a tree survey and Arboricultural Implications Assessment. It is noted that trees in the vicinity of the site could be impacted without suitable mitigation and methods of working. As confirmed in the response of the Council's Arborist the proposals are considered acceptable subject to works being undertaken in accordance with the



submitted method statements, suitably worded conditions are proposed to deal with this matter.

The application proposals incorporate a landscaping scheme to include tree and hedge planting alongside lawned areas. In addition, the roof of the proposal would be planted with sedum to encourage biodiversity. As indicated in the response from the Greater Manchester Ecology Unit whilst these proposals are considered to be acceptable in general further work is required on the type, size and species of trees and hedges to be planted. These details are proposed to be addressed through the imposition of a suitably worded condition.

**Crime and safety** - The existing site boundary is formed by close boarded timber fences. A low red brick wall with contrasting blue brick bands and stone coping marks the front and side entrances to the Brocklehurst Nursing Home to the northeast of the site entrance. The proposal would introduce activity on currently vacant land and would provide natural surveillance with the houses and front doors facing the access to the site and provide overlooking to the car parking. The rear gardens have gates to enclose the private space with fencing to the boundaries for security in accordance with Secured by Design principles.

**Access** - The proposed scheme has been designed to comply with Building Regulations. The approach to the building provides level and step free access to the ground floor habitable rooms and sanitary facilities, which have doors and corridors sized in accordance with the relevant guidance.

**Sustainability** – The proposal would have sustainability designed in. The double glazing is proposed to be argon filled with a solar coating to retain the natural heat gain provided by the sun. The roof is to be finished with planted sedum to encourage biodiversity and located on the roof would be a number of integrated Photovoltaic tubes to provide solar heated water to the homes.

**Cycle parking** – Each property contains secure cycle storage within each plot.

**Car parking** – The proposals incorporate off-street car parking for each property in the form of two spaces plus additional spaces for visitor parking when required. This level of provision is considered acceptable.

**Backland development** - Concern has been raised that the proposals are contrary to saved Unitary Development plan policy DC6 as a result of the application site being located within a backland location by virtue of it being land that is enclosed and surrounded by existing residential properties. It is not considered that the proposal would be contrary to this policy. As set out above the proposals are not considered to give rise to a loss of privacy to adjoining dwellings and associated rear. The provision of building is considered to be compatible with the character of the area. The contemporary design utilising traditional materials would assist in ensuring that the proposals successfully assimilate into the area.

The proposals would not result in the loss of trees and the habitat of the site has not been identified as one that is locally important or that is statutorily or non-statutorily protected. As set out above the proposals if approved would be subject of



appropriately worded conditions to ensure ecological mitigation is achieved as part of the development.

As set out above it is considered that the proposal accords with the requirements of policy DC6 in this instance.

Conclusion – As outlined in this report the proposals are considered acceptable and would provide additional family housing in South Manchester an area of the City which is identified as requiring such types of residential accommodation in a sustainable location.

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

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

**Recommendation**      APPROVE

### **Article 35 Declaration**

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

### **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:

Proposed Site Plan ref 0682-P3A-ST-XX-DR-A-05001-P01

Proposed Landscape Plan ref 0682-P3A-ST-XX-DR-A-05002-P01  
 Proposed Site Sections ref 0682-P3A-ST-XX-DR-A-05101-P01  
 Ground Floor Plan ref 0682-P3A-XX-00-DR-A-05001-P01  
 First Floor Plan ref 0682-P3A-XX-01-DR-A-05002-P01  
 Second Floor Plan ref 0682-P3A-XX-02-DR-A-05003-P01  
 Roof Plan ref 0682-P3A-XX-RF-DR-A-05004-P01  
 Section A-A ref 0682-P3A-XX-XX-DR-A-05101-P01  
 Section B-B ref 0682-P3A-XX-XX-DR-A-05102-P01  
 Elevation 01 ref 0682-P3A-XX-XX-DR-A-05201-P01  
 Elevation 02 ref 0682-P3A-XX-XX-DR-A-05202-P01  
 Elevation 03 ref 0682-P3A-XX-XX-DR-A-05203-P01  
 Elevation 04 ref 0682-P3A-XX-XX-DR-A-05204-P01

Design and Access Statement prepared by Project 3 Architects  
 Transport Technical Note prepared by Egg Transport Planning  
 Geo-Environmental Appraisal prepared by Groundtech Consulting  
 Drainage Strategy Report prepared by Brennan Consult  
 Preliminary Ecological Appraisal prepared by Envirotech  
 Arboricultural Implications Assessment prepared by Mulberry Tree Management  
 Arboricultural Methods Statement prepared by Mulberry Tree Management  
 Waste Management Pro-Forma prepared by Asteer Planning

All as received on the 23<sup>rd</sup> February 2022.

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) 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.

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.

4) Prior to the commencement of any development a Construction Management Plan 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 agreed plan and where appropriate shall include:

- The routing of construction traffic;
- The hours of site working;
- Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location.

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

5) Notwithstanding the approved plans and details, no development shall take place until surface water drainage scheme has been submitted to and approved in writing by the City Council as Local Planning Authority.

The scheme shall include:

- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes is required.
- Surface water drainage layout including discharge points, proposed attenuation (up to a 1 in 100 year including 40% climate change allowance) and proposed overland flow routes for extreme events which shall include a 5m easement for soakaways if infiltration is feasible.
- If infiltration is not feasible onsite, details of surface water attenuation that offers a reduction in surface water runoff rate to greenfield rates. Where the calculated rate is less than 5l/s, blockage risk shall be assessed and the discharge rate shall be no greater than 5 l/s.
- Hydraulic calculations to support the drainage proposal.
- Details of how the scheme shall be maintained and managed after completion including how future occupiers are to be advised of the presence and implications of any soakaways, porous surfaces and attenuation structures installed at the site.

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

6) Prior to any site clearance or earthworks a reasonable avoidance measures method statement for hedgehog and other mammals shall be submitted to and

approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

7) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

8) All tree work should be carried out by a competent contractor in accordance with British Standard BS:5837 and the approved Arboricultural Methods Statement prepared by Mulberry Tree Management.

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.

9) Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

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

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

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

11) Within three months of the commencement of development a scheme to enhance the biodiversity of the site including the provision of nest boxes on site, together with measures to allow the movement of hedgehogs through the site and a timescale for their installation shall be submitted to and approved in writing by the City Council as local planning authority. The measures shall be subsequently undertaken in accordance with the approved details.

Reason – To enhance the biodiversity of the site pursuant to policy EN9 of the Core Strategy.

12) Within three months of the commencement of development a soft landscaping treatment scheme based upon the approved plans and documents and including the species and size of all trees and hedges to be planted on the site, together with the design and maintenance of the green roof, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

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

Reason – In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

14) Before first occupation, the glazing around the second floor roof balcony as detailed on approved drawing 0682-P3A-XX-XX-DR-A-05202 Rev P01 shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall be retained at all times thereafter.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

16) 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 additional openings/windows/doors shall be inserted within the development hereby approved, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of neighbouring dwellinghouses, pursuant to saved policy DC1 of the adopted Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

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

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

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 133030/FO/2022 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:**

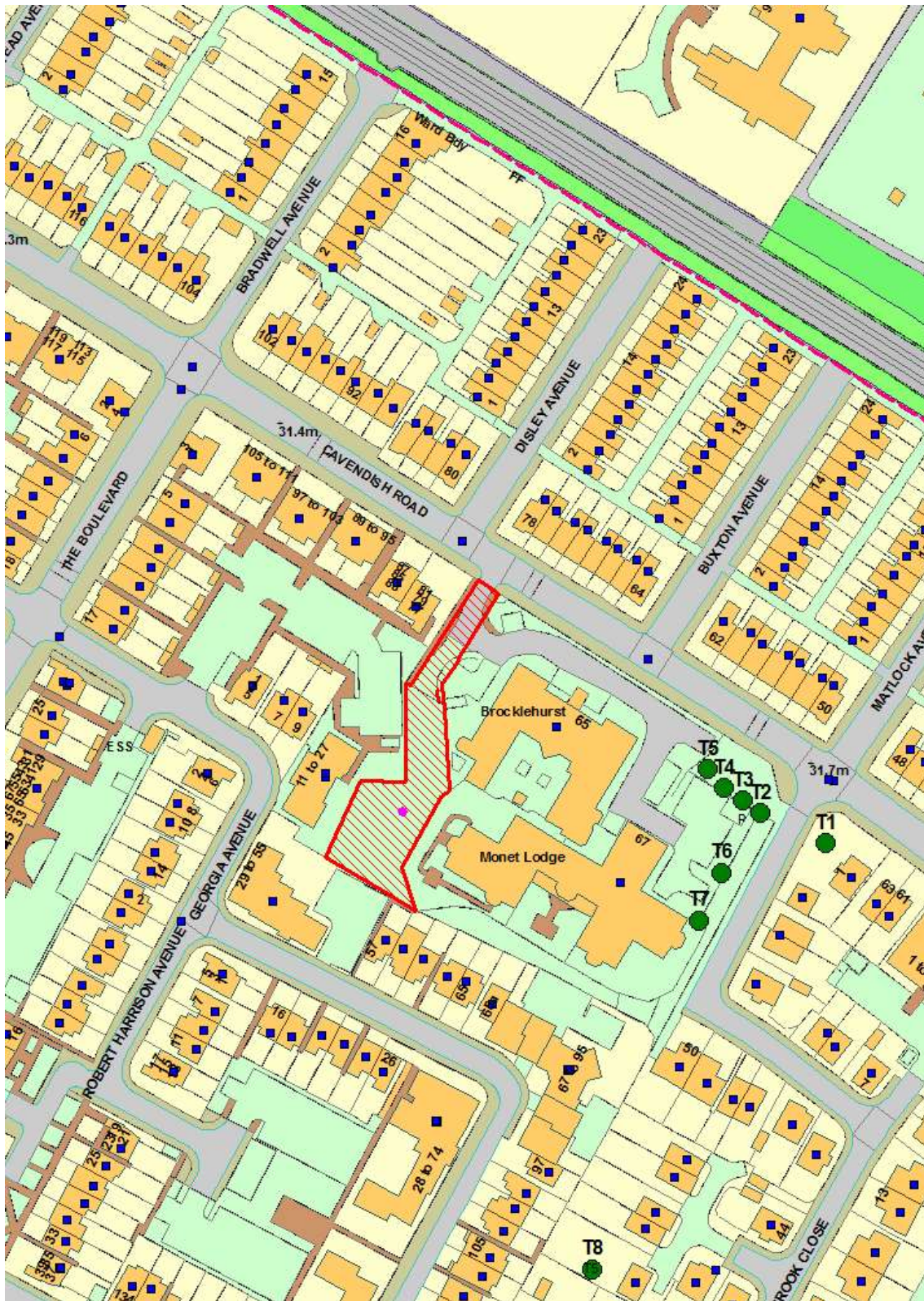
**West Didsbury Residents Association  
Environmental Health  
Highway Services  
Neighbourhood Team Leader (Arboriculture)**

**Greater Manchester Ecology Unit**

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

**Relevant Contact Officer :** Robert Griffin  
**Telephone number :** 0161 234 4527  
**Email :** robert.griffin@manchester.gov.uk







This page is intentionally left blank

## Manchester City Council Report for Resolution

**Report to** Planning and Highways Committee – 31 May 2022

**Subject:** Objection To Tree Preservation Order (TPO) JK/21/05/2021 – Land adjacent to York Street, Didsbury, Manchester M20 6UE

**Report of:** Director of Planning

---

### Purpose of report

Members will recall confirming a TPO on trees at this site at Planning Committee on 21 November 2021. Due to an administrative error this TPO was not confirmed before it expired and consequently a new TPO has been provisionally made on the affected trees. The purpose of this report is to inform the committee about the background and issues involved in the making of this Tree Preservation Order (TPO) on 7<sup>th</sup> December 2021 and to recommend the confirmation of this Tree Preservation Order.

### Recommendation

The Director of Planning recommends that the Planning and Highways Committee instruct the City Solicitor to confirm the Tree Preservation on Land adjacent to York Street, Manchester, M20 6UE, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the trees as plotted T1, T3 – T8 on the plan attached to this report.

---

**Wards Affected:** Didsbury West

### Financial Consequences for the Revenue Budget /Capital Budget

#### Implications for:

Anti-poverty	Equal Opportunities	Environment	Employment
No	No	Yes	No

**Contact Officer** John Kelsey

### Background Documents

No

### Executive Summary

The committee is asked to consider 1 objection made to this order relating to a Tree Preservation Order (TPO) served at the above address on 1 Birch tree (T1) and 6 Callery Pear trees (T3 – T8) immediately adjacent to a car park on York Street, Didsbury, Manchester, M20 6UE.



*Birch (T1) within raised brick planter on Whitechapel St*



*Gallery Pear trees (T3 – T8) within raised brick planter on York Street*

## **Background**

These trees are situated on the boundary of a car park adjacent to Didsbury District Centre, accessed from York Street and Whitechapel Street.

Following a complaint from local residents and Ward Members that several unprotected trees had been felled in an adjacent car park over a weekend in May 2021, a request was made to consider making a TPO on the remaining trees that bounded the car park on the northside of York Street. Following a site survey and assessment, the City Arborist considered that 7 trees offered high visual amenity to local residents and the general public, are a valuable asset to the area and were worthy of a TPO. He noted that the recently removed 9 trees from the adjacent car park had drastically changed the appearance of this location.

Tree T1, a Silver Birch is approximately 11m in height with an average crown diameter of approximately 7m. Its canopy is clearly visible from both short and longer

range views from public areas, principally from the public highway of York Street, Whitechapel Street and also Wilmslow Road, and to both occupiers of surrounding residential properties. The Callery Pear trees (T3 - T8) are currently smaller in stature, at approximately 6.5m in height with a crown diameter of approximately 3m but have excellent vigour and are considered to make a significant contribution to the street scene and wider area. The Helliwell System 2008 of visual amenity valuation has been carried out and this assessment found the trees to be of high visual amenity value.

Following the making of a provisional TPO the landowner has objected in a letter received from his solicitor to the confirmation of this TPO and provided a supporting tree assessment from Lally Tree Management.

This report requests that the Committee instruct the City Solicitor to confirm the TPO on land immediately adjacent to a car park on York Street, Didsbury, Manchester, M20 6UE.

### **Consultations**

Part 2, paragraph 5 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 states that before a provisional TPO is confirmed, any persons interested in land affected by the order should be served with a copy of the order. Local residents in the vicinity were consulted and objections and representations made with respect to the Order have been considered.

The following owner/residents were served with a copy of the order or notified about the TPO, The Owner(s) and/or any Occupier(s) of Land adjacent to 26 – 32 (evens only) York Street, Manchester, M20 6UE; 762, 764, 766 Wilmslow Rd, M20 2DR ; 2a, 2b, 10 Whitechapel Street, M20 6UB; 19 Whitechapel Street, M20 6UB.

### **Summary of objections**

1 objection with supporting assessment from Lally Tree Management Consultants received. In summary the report states:

- While the 6 Callery Pear trees (T3 - T8) have high visibility from York St, they are moderately visible from Whitechapel Street and have limited visibility from Wilmslow Road.
- 4 Callery Pears, (T3, T5, T6, T8,) have good vitality but 2 Callery Pears (T4, T7) are not stable in the ground with reduced vitality. All trees are in brick planters of limited depth and likely to result in depleted soil nutrients over time and potentially limit root spread outside the planter resulting in the trees not reaching full growth and reducing their longevity.
- The Silver Birch (T1) has good visibility from Whitechapel St, moderate visibility from York Street but visibility is limited from Wilmslow Rd. The tree has good vitality, with no evidence of dieback or other significant risk features. The tree is located in a brick planter and this appears to be affecting the structural integrity of the retaining wall and potentially cause further issues to the retaining wall as the tree continues to grow. The confinement of roots

within limited soil volume could result in nutrient depletion over time and the brick planter will likely limit root spread.

- The size, location and nature of the Callery Pear trees will limit the contribution the trees make to both their amenity value nature and conservation
- Uncertain how the City Council came to the view that all of the trees had a high amenity value using The Helliwell System 2008. An alternative system to evaluate the suitability of a tree for a TPO known as TEMPO, was carried out and found that the TPO on T1 Birch was defensible (possibly merits a TPO) the 6 Callery Pear trees (T3 – T8) is not merited due to their size, location, future potential and also in the case of T4 and T7, their condition.

### **Arboricultural officer comments**

The City Arborist recognises that the Lally Tree Management report makes some valid points around the infrastructure of the tree pits and condition of T4 and T7. He states that if the planters had a bottom there will potentially be a future issue with the trees and their growth but considers it unlikely that the planters will have a base.

If the trees are in decline in the future, the City Arborist would not object to the removal of those trees but considers the trees should be protected as they provide a greenery for residents and small business owners in the near vicinity.

A focus of making the TPO was lack of green infrastructure in the area and the importance of a future green screen provided by the trees. The obvious lack of trees in this location is due to narrow footpath widths and restricted parking and it is unlikely the City Council will be able to plant street trees in this location.

The City Arborist survey found the Silver Birch (T1) has grown into a very aesthetically pleasing specimen offering high visual amenity to local residents, general public and local business owners that have cafes and shops located along the side streets running west from the District Centre.

The City Arborist states the 6 Callery Pear trees have excellent vigour, and should they be given time to mature, will be a magnificent future green screen for the car park. The trees have an upright form and will not encroach onto the public footpath or carpark as they mature. Although these trees are young, they offer visual amenity to residents and pedestrians.

The recent removal of 9 trees from the immediately adjacent car park has dramatically changed the visual appearance of this location. The City Arborist argues that to ensure the future of these remaining extremely valuable assets, they should be protected by a TPO.

### **Issues**

#### TPO worthiness

All trees included within this TPO are considered to be in good condition, growing in a highly prominent location easily visible from public areas and serve an important function in providing screening benefits from the adjacent car park. As such, they



have high visual amenity value and meet the criteria to be protected by having a Tree Preservation Order placed on them.

#### Trees are of limited visibility

While it is accepted the trees are not highly visible from Wilmslow Rd, There are some views of the trees available from Wilmslow Road and due to their prominent location within the frontage of Whitechapel and York Street, are highly visible to residents, visitors and passers-by. The City Arborist states that any limitation on the visibility of the trees from Wilmslow Road, does not diminish the visual amenity value these trees offer to the surrounding streets.

#### Form and condition of the trees

The City Arborist acknowledges that there is some basal movement in trees T4 and T7 but these trees remain in good health and vigour, are not likely to fall in a strong wind and provide an important green screen. The Callery Pear trees are young and will mature and grow with an upright form that will not encroach onto the public footpath or carpark as they mature The City Arborist states that comments regarding nutrient depletion within the soil of the raised planters are speculative and it is not known what makes up the base of the planters or whether there is any base. The City Arborist states there are no signs of nutrient depletion to the Silver Birch which the City Arborist states is thriving in its position and that all 6 Callery Pear trees have excellent vigour.

#### Movement within the retaining wall

The concerns raised only relate to the retaining wall of the Silver Birch tree in a raised soil bed, within an approximately 1m high brick planter adjacent to Whitechapel Street. While there is no evidence provided that it is the Silver Birch that's causing movement in the wall, the City Arborist notes that any movement in the wall is likely to be the result of insufficient foundations and the downward pressure of the tree. Currently the tree is not presenting any known danger to the health and safety of passing members of the public or vehicles. Given the size of the wall and its position, if in the future any repair or rebuilding works are necessary the wall could be rebuilt and tree retained as a relatively minor operation and small cost to the owner. The confirmation of a TPO on this tree would still allow, following agreement with the City Council, any works necessary to be carried out to the tree.

#### Contribution to and relationship to the landscape

The recent removal of trees from the adjacent car park has resulted in very limited remaining tree cover in the immediate surrounding area. This area of Didsbury is characterised by the rear of commercial buildings within Didsbury district centre adjacent to terraced predominately residential properties. The remaining trees provide important canopy cover and make a significant contribution to improving the immediate physical environment and the wider urban landscape setting.

#### Helliwell Assessment

The Helliwell Assessment 2008 is widely used by local authorities to assess the visual amenity value of trees to provide a supporting evidence base to justify the decision whether to make or confirm a TPO. In this case the Helliwell Assessment recognised that the 6 Callery Pear trees, when considered individually may not currently be of high amenity value, but when considered together as a group of trees

their cumulative visual amenity value is high, particularly given the very limited tree cover in the immediate surrounding area.

#### Other issues

Given the lack of tree cover in the area, these remaining trees on the car park to the north of York Street provide valuable green screening benefits and support improvements in local biodiversity and air quality.

### **Conclusion**

It is considered that the Silver Birch (T1) and 6 Callery Pear trees (T3 – T8) as shown on the attached plan, should be protected by a Tree Preservation Order. The City Arborist considers the trees to be in good condition, healthy with no major defects. They are of high amenity value, located in a prominent position fronting a car park immediately adjacent to Didsbury district centre and are highly visible to occupiers of neighbouring properties, visitors and both passing traffic and pedestrians on York Street and Whitechapel Street. The trees in question are an important element of the local urban landscape character and its biodiversity and provide valuable screening benefits from a busy car park to surrounding properties.

The Order has been properly made in the interests of securing the contribution these trees make to the public amenity value in the area. The concerns of the landowner have been fully considered and balanced against the contribution this Silver Birch and 6 Callery Pears make to the local environment. Whilst it is acknowledged that the reason for objecting to the TPO, in particular the trees are of only limited visibility from Wilmslow Road, Silver Birch (T1) appears to be affecting the structural integrity of the retaining wall, brick planters will result in depleted nutrients over time and tree not reaching full maturity, 2 Callery Pears are not stable with lower vitality/in decline and their size, location and nature limits the contribution to their amenity value, require due consideration it is not felt that they outweigh the significant contribution these prominent trees of high amenity value make to the area and the wider urban landscape. It is considered that the visual public benefits of retaining these trees outweigh any harm caused.

### **Human Rights Act 1998 considerations**

This Tree Preservation Order needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the third parties, including local residents, who have made representations, have the right to a fair hearing and to this end the Committee must give full consideration to their comments. Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home and a right to peaceful enjoyment of one's possessions, which could include a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the residents/objectors and other occupiers and owners of nearby land that might be affected may be interfered with but that interference is in accordance with the law and justified by being in the public interest and on the basis of the restriction on these rights posed by confirmation of the Tree Preservation Order is proportionate to the wider benefits of approval and that such a decision falls within the margin of



discretion afforded to the Council under the Town and Country Planning Acts.

## **8.0 Recommendation**

The Director of Planning recommends that the Planning and Highways Committee instruct the City Solicitor to confirm the Tree Preservation Order at Land adjacent to York Street, Didsbury, Manchester, M20 6UE, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the trees as plotted on the plan attached to this report.



MANCHESTER  
CITY COUNCIL



### Land at York Street Car Park, Didsbury Tree Preservation Order 2021

© Crown copyright and database rights 2021. Ordnance Survey 100019568



This page is intentionally left blank