



Planning and Highways Committee

Date: Thursday, 22 September 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 any other 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, Hewitson, 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 1 September 2022.

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5. 133148/FO/2022 - The Imperial Lounge, Victoria Avenue East, Manchester, M9 7HW - Charlestown Ward

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

11 - 62

6. 133700/FO/2022 - Former Jacksons Brickworks Site, Ten Acres Lane, Manchester - Miles Platting & Newton Heath Ward

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

63 - 152

7. 134307/FO/2022 - Land Bounded By Angel Street, Miller Street and Angel Square, Known As Plots M And N, Manchester - Piccadilly Ward

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

153 - 228

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.

Late representations will be summarised and provided in a Supplementary Information Report. Such material must be received before **noon on the Tuesday** before the meeting. Material received after this time will not be reported to the Committee, this includes new issues not previously raised during the formal consultation period. Only matters deemed to be of a highly significant legal or technical nature after consultation with the City Solicitor will be considered.

Material must not be distributed to Planning Committee Councillors by members of the public (including public speakers) or by other Councillors during the meeting. The distribution of such material should be in advance of the meeting through the Planning Service as noted above.

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

Further Information

For help, advice and information about this meeting please contact the Committee Officer:
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This agenda was issued on **Tuesday, 13 September 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

Planning and Highways Committee

Minutes of the meeting held on Thursday, 1 September 2022

Present: Councillor Curley - In the Chair

Councillors: Shaukat Ali, Andrews, Baker-Smith, Davies, Flanagan, Hewitson, Kamal, Leech, J Lovecy, Riasat, Richards

Apologies: Councillors Y Dar, Lyons and Stogia

PH/22/45 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 133858/FO/2022.

Decision

To receive and note the late representations.

PH/22/46 Minutes

Decision

To approve the minutes of the meeting held on 28 July 2022 as a correct record with the additional noting of a new Committee protocol for submitting late representations, which would now have to be received 48 hours before the meeting to be considered for inclusion. This was due to a Councillor having presented late representations on two occasions, one during the Committee meeting and another at noon on the day of the Committee meeting.

PH/22/47 134154/VO/2022 - Land to the West of Rodney Street Manchester Item No M4 6JJ - Ancoats & Beswick Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that described that the proposal would create 128 homes in two apartment buildings and 10 townhouses. The apartment buildings are 8 and 5 storeys and the townhouses 3 storey. Parking, public realm and landscaping would be provided. The proposal is the first project the City Council's 'This City' housing company which seeks to develop high quality, low carbon housing for all Mancunians as part of boosting the City's housing supply which includes providing affordable housing.

The Planning Officer had nothing further to add to the printed published report.

The agent addressed the Committee on the application, stating that this development represented high quality homes for all with a low carbon impact for Manchester residents. This was a new venture looking at building 500 homes per year, self-finance with all profits going towards affordable housing. Rates would be

capped for the unwaged and low waged and protected in perpetuity. There would be a premiere service for all tenures. All dwelling to be adaptable for disabled and older people and will meet national space requirements. The development would be of a sensitive building design with landscaped public realm and sustainable water, carbon, pollution, waste and recycling features. The scheme would be fitted out with electric cycle and car charging facilities and create many jobs in the development phase with Manchester residents having priority. The scheme would create more Council Tax revenue and much needed affordable homes in Manchester.

The Planning Officer had nothing further to add.

A member stated that this was a much needed development in this area but would like to discuss issues around parking. The report had mentioned that there would be no impact on local parking arising from the scheme. The member felt that this was disingenuous and also raised the distribution of disabled parking within the scheme whilst noting that the Ancoats Parking Policy could be considered for this site, as the scope was extended by The Leader of the Council. The member asked the Planning Officer to raise the issue of the 38 rented dwellings being included in the aforementioned parking scheme.

The Planning Officer stated that this could be picked up within the scope of the residents' parking scheme to address their needs.

A member asked if the townhouses were part of the affordable housing stock in the site and the Planning Officer confirmed this to be the case.

The member went on to say that this was very welcome and atypical for Planning applications in general. He added that there may be a design issue with flat rooves, stating that this has created problems in his own ward. The member also questioned whether residents of the townhouses could receive parking permits, in line with the previous member's request for other residents in affordable housing on the site and whether those not in affordable housing have access to parking permits, some clarification on the mobility hub charges.

The Planning Officer stated that residents' parking was a separate process and cannot be linked to a Planning application but confirmed that parking issues hadn't yet been fully prepared. The affordable housing stock could be included in the parking policy and this would be reported back for consultation. Regarding the mobility hub, there was no current operator confirmed and no pricing strategy. For parking and travel, the current scheme had 47 spaces linked to 128 homes which is consistent with MCC policy and this was how the scheme should be measured for making a determination.

A member stated that she was supportive of the scheme but asked if the disabled car parking spaces could be spread out instead of being allocated all at the same building.

The Planning Officer stated that he would modify/add a condition to address this.

Councillor S Ali moved the officer's recommendation of Approve for the application with the additional condition to distribute disabled parking bays around the site.

Councillor Flanagan seconded the proposal.

Decision

The Committee resolved to Approve the application subject to the addition of the aforementioned condition.

(Councillor Richards declared an interest and took no part in the hearing or decision making process).

PH/22/48 132708/FO/2022 Car Park to the Rear of Chorlton Irish Club, Cross Road, Manchester, M21 9DJ - Chorlton Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that described that the proposal related to the erection of a part three, part four storey development to provide 29 (10 x one and 18 x two bed and 1 x studio) residential units with associated vehicular and cycle parking, refuse store and landscaping.

The application site currently forms part of the existing Chorlton Irish Club car parking area to the south located within the Chorlton Ward, the opposite side of Cross Road lies within Chorlton Park Ward. The proposals were subject to notification by way of 273 letters to nearby addresses, site notice posted at the site and advertisement in the Manchester Evening News.

In response to the revised scheme objections were received from 21 residents at 16 separate addresses and three neutral comments were made. Amongst other matters that are set out within the body of the report it is considered that the principle of apartment led residential development in this part of South Manchester is appropriate as it will add to the stock of affordable housing. The scheme will also bring forward high quality development on a brownfield site in a sustainable location that will not give rise to unacceptable impacts on the highway network or cause undue harm to the amenity of surrounding property.

The Planning Officer stated that a full tree protection order for the duration of construction would be put in place if the Committee approved the application.

An objector, representing local residents, addressed the Committee on the application. He stated that he has lived on Cross Road for 50 years and that there has never been any previous threat to the character of the road. He stated that residents were in support in principle but saw the scheme as overdevelopment, being too tall and extensive, with other local groups stating that it is an obstruction in the locality. The objector claimed that these views had been ignored by the Planning Team and developer, adding that Council policy had not been adhered to. The scheme would present Cross Road with a 264% increase in residents if approved. The Victorian era drainage system on Cross Road was already failing and the addition of further dwellings would exacerbate this problem. The developer had

addressed the issue of overlooking dwellings on Thornbridge Avenue but nothing had been considered for Cross Road and was in breach of policies. The objector had hoped for a smaller scale development, more in keeping with the area, and asked the Committee to consider a site visit to make a more informed decision and understand the intrusion to local residents.

The agent addressed the Committee on the application, stating that the site was acquired by Southway Housing Trust in early 2021, having beaten competition from private developers. They had made an agreement to leave parking spaces to allow the Irish Club to have spaces for clients when they re-opened. Prices to buy houses in Chorlton had been known to be expensive. The pre-application process had been to hold consultations, events and have an online portal and the recommendation for approval reflected the consultation process. Realising the impact to the street scene, the developers had included textured brickwork to compliment the area and an overall high quality design. This was a 100% affordable housing scheme with parking and cycle spaces, electric charging facilities, delivery area to minimise the impact to local residents with landscaping and additional trees.

The Planning Officer stated that the elevation had been designed to be in scale with the top floor, adding that there was a narrow frontage to Cross Road, that the scheme was set away from Beech Road park with additional landscaping and traffic calming measures.

A member noted that obscured glazing had been added to properties overlooking Thornbridge Avenue and asked whether this could be an added condition for properties overlooking Cross Road.

The Planning Officer stated that this could be included.

A member stated that he was in agreement with the objector's proposal of a site visit, adding that they were alarmed to read of 48 car parking spaces along Cross Road, questioning the accuracy of this information. He noted that the survey may have been carried out during a quieter period due to the pandemic, adding that there would likely be less places at weekends. The member asked if there was a waste disposal strategy to ensure that large bins would not be left on Cross Road. He also questioned the use of the Irish Club car park, noting that the capacity of the club was around 300 people when fully functioning which would surely have an impact on local roads. He concluded by stating that, whilst he was very supportive of affordable housing in this area, it was a shame that there were no affordable rental properties on the site.

The Planning Officer confirmed that there were 29 parking spaces which equated to 1 per unit, that there was an associated cycle and travel plan and that this was in a sustainable location for other travel options. He added that there was some on-street parking, that the Irish Club will open again in the future but not all parking spaces could be retained for the club to use, adding that there was no condition there to refuse the application on these grounds. However, 13 spaces were to be retained for the Irish Club, plus a taxi pick up and drop off point.

The previous member responded by stating that a similar scheme at a nearby pub had shown that taking parking spaces away to built properties had vastly increased on-street parking issues and that this did not represent a sustainable approach.

The Planning Officer expressed that the addition of affordable housing at this location would outweigh the disruption to the Irish Club, adding that the club did not own the car parking area so this could not be considered as a reason for refusal.

A member stated that the scheme was very attractive but required scrutiny. The massing and height were concerning and the illustrations may not truly convey the full impact of this development. She requested information on the tenure of each property, to check if individuals could sell the properties at a market rate for a quick profit. The member felt that people may travel from further areas to visit the club and not use sustainable methods of transport, adding to parking issues in the area and questioned whether a proposal for a club with 13 spaces would be considered for approval.

The Director of Planning stated that the application had to be considered on its own merits and dismissed any notion of considering an application for the Irish Club. She added that condition 24 in the report dealt with the issue of purchases of these properties and that Southway Housing Trust would assist on the matter.

A member added that he still had concerns over parking issues whilst noting that the report clarified that parking at the Irish Club could not be considered as a reason for refusal. He agreed with the previous member's proposal for a site visit but stated that he had a condition to add if no site visit was proposed by the Committee.

A member welcomed affordable housing in Chorlton but felt that a varied approach to tenures was necessary. She was pleased to see Southway Housing Trust working with the City Council on referrals to the scheme and hoped that social housing could be involved to get people onto the property ladder and also free up social housing spaces. She asked whether it was only drainage on the site that would be maintained or if the roadway and pavement were also included.

The Planning Officer confirmed that the car parking area would be unadopted with a long term management plan for landscaping and maintenance.

A member asked what the rationale was for a site visit, with the scheme being recommended for approval and with parking not able to be considered.

The member who proposed the site visit stated that the site visit would be to consider the overlooking aspect to Cross Road.

Councillor Flanagan moved the officer's recommendation for approval with an additional condition for frosted glazing on the first and second floor, overlooking Cross Road.

Councillor Andrews seconded the proposal.

Decision

The Committee resolved to Approve the application subject to the addition of the aforementioned condition.

PH/22/49 133858/FO/2022 - Land Adjacent Newall Green Farm, Manchester, M23 2TX - Baguley Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that described that the applicant is proposing to erect a two storey building on the site to form eight supported living apartments, complementing the existing supported living use that operates out of the other three buildings. One resident has objected to the proposal but did not substantiate it with any reasons. Another local resident has stated their support for the proposal but has raised concerns about potential highway issues, as well as making a number of observations about ecology and construction management.

The application was being placed before the Committee as the site is located within the Green Belt and adjacent to three Grade II listed farm buildings.

The proposal is considered to be appropriate development within the Green Belt and as such would not constitute a departure from the Core Strategy and would not need to be referred to the Secretary of State.

The Planning Officer had nothing further to add.

The applicant addressed the Committee on the application and stated that the scheme was for accommodation for adults with learning disabilities, with support, who could not live in a shared space.

The Planning Officer had nothing further to add.

Councillor Andrews stated that the Baguley Ward Councillors supported the scheme, noting some local opposition to the footpaths and moved the officers recommendation of approve for the application with an additional condition to include e-bike charging on the site.

Councillor S Ali seconded the proposal.

Decision

The Committee resolved to Approve the application subject to the addition of the aforementioned condition.

Application Number	Date of Appln	Committee Date	Ward
133148/FO/2022	4th Apr 2022	22nd Sep 2022	Charlestown Ward

Proposal Erection of a retail foodstore (Class E) with new vehicular access / egress to Victoria Avenue East, new internal vehicular access road, car parking, servicing area, and hard and soft landscaping, following demolition of existing structures, alongside the creation of a new vehicular access and egress for the adjacent sports facility.

Location The Imperial Lounge, Victoria Avenue East, Manchester, M9 7HW

Applicant Mr Adam Robson, Aldi Stores Ltd, C/o Agent

Agent Mr Daniel Brown, Avison Young, Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

Executive Summary

The proposal is for the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures, alongside the creation of a new vehicular access to the adjacent sports facility. It is proposed that the store is operated by Aldi.

In response to the application as originally submitted, 14 representations have been received. 1 in support, 1 neutral and 12 of which object to the proposal. Following revised information and a further period of renotification, 4 additional representations have been received objecting to the proposal.

Key Issues

-The existing restaurant building could lawfully change to retail without the need for planning permission, as both uses fall within the same use class – Class E. This should be considered as a material consideration given the uplift in proposed retail floorspace.

-The application site relates to accessible, brownfield land and would offer favourable regeneration to provide appropriately scaled economic development which would create a range of local employment opportunities.

-The proposed redevelopment has the potential to bring about significant economic, environmental and visual improvements by replacing what is currently underutilised brownfield land with a modern foodstore development. Such development would improve the appearance of a prominent site adjacent to a key arterial route.

-The western section of the site contains a small area of landscaping associated with the North Manchester Rugby Club but does not contain a rugby pitch and is surplus to their requirements. In return for its inclusion in the scheme, a small piece of land which currently comprises car parking associated with the existing restaurant use on

site is proposed to be transferred to the rugby club in order to benefit the rugby club site.

-The application has been considered by both TfGM and Highways Services. Subject to necessary off-site highway works, no significant issues are raised.

Description

The application site relates to the Imperial Lounge Restaurant – a part single, part two storey building situated on the northern side of the main east-west arterial route of Victoria Avenue East. The site incorporates large areas of hard standing used for parking and access, as well a small area of tree planting to the north-western corner.

The site also includes a small amount of surplus land associated with the adjacent rugby club's playing fields immediately to the east which is proposed to form a relocated vehicular access.



View of the existing building from Victoria Avenue East

The existing building is presently vacant and comprises a restaurant (Class E) with a large car park to the rear.

In terms of the site's immediate surroundings, the area can be described as mixed use in character, with residential properties predominating to the south and east and notably to the opposite side of Victoria Avenue East.

To the north is a landscaped strip, beyond which is the M60 motorway, whereas to the south are two-storey detached and semi-detached dwellinghouses.

Adjacent to the eastern boundary is a sports facility occupied by North Manchester Rugby Club and the Assheton Bowmen. This comprises grass playing pitches predominantly used for rugby and an associated clubhouse.

Immediately to west is an existing, part 4, part 5 storey residential apartment building, beyond which is a gym (Pure Gym) and their associated car parks. These share the

same vehicular access point as the existing restaurant via an access route off Victoria Avenue East.

The Proposal

Planning permission is sought for the erection of retail foodstore (Class E) to be operated by Aldi, following demolition of the existing structures, together with a new vehicular access off Victoria Avenue East, new internal vehicular access roads, associated surface level car parking, cycle parking, servicing area, and hard and soft landscaping. The proposed store has a gross internal area (GIA) of 1884 sqm, with a net sales area of 1331 sqm.

The proposal incorporates a relocated vehicular access and egress off Victoria Avenue East and involves the use of an area of surplus land associated with the neighbouring rugby pitch situated immediately to the east.

In part compensation, the proposal also includes a land transfer involving an extension of the existing playing fields at the north-western corner of the playing fields, as well as the relocation of boundary fencing to the playing fields, the addition of ball strike netting and the relocation of floodlighting.



View of proposed development from Victoria Avenue East (CGI provided by the applicant)

The current proposal represents a slightly revised design to that originally submitted with revised details submitted in relation to the landscaping and increased tree planting. Additionally, further technical reports have been received in relation to daylight/sunlight analysis and an updated noise assessment relating to servicing activities.

Planning History

Relevant planning history is provided below.

053327/FO/NORTH1/97

Development of retail (Class A1) and a pub/restaurant (Class A3) with related vehicular, cycle & pedestrian access, servicing, car parking and landscaping.
Approved 24 March 1998.

048529/00/NORTH1/95

Development of retail (Class A1) and a pub/restaurant (Class A3) with related vehicular, cycle & pedestrian access, servicing, car parking and landscaping.
Approved 18 January 1996.

Consultations

Local Residents/Occupiers

In response to the application has originally submitted, 14 representations have been received. 1 in support, 1 neutral and 12 of which object to the proposal.

Principal comments are summarised below:

- The proposed store will be beneficial to the local economy and useful for local people who do not drive.
- It is believed that most local people are broadly in support of the proposal, but concerns are raised in relation to impact during construction, local traffic congestion and whether it would be beneficial to see some common arrangements developed between Eastgate residents and ALDI in respect of use of the carpark, such as overflow visitor and/or out-of-hours parking and preferential electric car charger use for residents overnight.
- The proposed roofline of the proposed store could harmfully impact daylight/sunlight to the neighbouring residential apartments at Eastgate.
- Strong concern is expressed about the siting of the Puffin Crossing adjacent and its relationship with an adjoining property. It is considered that crossing will impede access from an adjoining driveway and the noise and disturbance caused by intermittent beeping from the crossing signals and increased pedestrian activity would have a harmful impact to residential amenity. Further concern is raised about the impact to local air quality and health and times when vehicles are stationary at the crossing.
- The proposed store will lead to increased traffic and that increased pedestrians in the area would undermine the security of nearby properties.
- It is questioned whether another supermarket is needed in the area.
- The proposed store will increase traffic congestion and noise in the area.
- There is concern that the piling during construction will cause structural damage to nearby property whilst also causing increased dust, noise and disturbance.

-Concerns are raised in relation to noise levels when the store is serviced at unsociable hours.

-The traffic uplift will cause localised congestion and have a negative environmental impact. The increased congestion will be compounded by the existing congestion at peak times which is greatly contributed by the start/end times of the school day and will have a greater impact to the congestion caused at the nearby Greengate roundabout. Specifically, it is anticipated that the store could result in a hazardous right turn which has the potential to cause traffic accidents and further congestion on Victoria Avenue East.

-It is urged that a longer and more in-depth study surrounding the impact to the operation of the Greengate roundabout is carried out to assess the impact upon traffic flow, with a view to easing congestion.

-There should be engagement with TfGM to address the operational intervals and disconnect of local bus services to the proposed store.

-The proposed pedestrian crossing will result in a loss of parking to adjoining properties.

-The current plans show a poor landscape arrangement which will impact the environment and local aesthetics. Better landscaping would offset the carbon dioxide emissions created by extra traffic.

-It is questioned whether the applicant has provided detail of their social corporate responsibilities such as a children's play area or other recreational facility on the adjoining playing fields,

An objection has also been received from a rival retail operator. Concerns are raised about the loss of open space, contrary to policy EN10 of the Core Strategy, as well as concerns relating to the proposed site layout. It is considered that the existing site and access could accommodate the proposed store and parking area without impacting upon the neighbouring sports club boundary.

In addition, 129 letters of support have been received via a strategic PR consultancy. Support is expressed about bringing local jobs to the area, whilst improving the local shopping function of the area and by increasing shopping accessibility.

Following receipt of revised and updated information and a further period of renotification, a further 4 representations have been received. Comments are summarised below:

-The proposal will lead to increased traffic and potential for 'rat running' via Hinchley Road to avoid the roundabout. It is questioned what measures are to be put in place to avoid this.

-The siting of the proposed Puffin crossing will create a hazard opposite the adjacent driveway, whilst causing disturbance to adjacent occupiers. It is questioned why the crossing cannot be located opposite the store entrance

-It is requested that there is an independent assessment of the noise levels and light changes created by the development. Details should also be provided as to the store opening times and what restrictions will be in place for delivery vehicles.

-More information regarding the position of the new access to the sports field gate should be provided. An independent survey to examine the possible traffic delays that residents of Eastgate might experience should be provided.

-The plans state that all the trees will be removed from the site opposite Eastgate, even though these trees are mostly healthy. This will mean that residents will go from having a garden view to a road view. It is questioned whether there are plans to put some planting back in to make this more aesthetically pleasing.

-More information on construction activities and noise and disturbance is required.

-Provision for services for Eastgate residents when the shop is closed should be provided. For example, out of hours use arrangements for the electric car chargers and visitor parking. There should also be a commitment to the easements and access during the works and beyond when the site is operational for Eastgate residents.

Victoria Avenue East Residents Group

In summary, the following comments are made:

-The road is already incredibly noisy. This was made worse when it was re-laid a few years back, leaving several dips outside some of the adjacent properties.

-The addition of the store will increase the flow of traffic in the constant guise of traffic and delivery lorries. The vibrations will make it very difficult for residents to be able to relax in their own homes. Given that there will only be one way in and out of the proposed store, this will make it more untenable and relentless.

-Given that the proposed store will be open 7 days a week, there are concerns surrounding the impact as a result of light and noise pollution. It will also create more litter and a heavier pedestrian footfall.

-The proposed crossing will block adjacent driveways, decrease privacy and cause increased noise to adjacent residents due its location and pedestrian footfall. The addition of the zig zags would make people start to double park or move a few doors up, making the road more congested with parked cars. Residents there may not be able to open up and expand their driveways. It is suggested that a better location would be further towards Pure Gym towards the corner with Hinchley Drive.

-A benefit of the Aldi store would be that there will be no more parties from the Imperial Restaurant which have been incredibly loud and resulted in antisocial in the past. The proposed store will also be of local convenience for shoppers.

-Traffic congestion will make it more difficult for residents to access their driveways.

-It is questioned whether there are any assurances that the proposed store and car park will reduce antisocial behaviour and whether it will be monitored when closed. It is also requested that the immediate surroundings or front of the store be more aesthetically pleasing with more greenery/trees etc.

-Information is requested in relation to the demolition/build timescales and what impact this will have on the residents.

Sport England – An objection was initially lodged with respect to the proposal based on insufficient information provided to demonstrate that the proposal can meet any of the Exceptions to Sport England's Playing Fields Policy and paragraph 99 of the NPPF.

Further information was considered to be required to enable the objection to be withdrawn. Namely:

-Details of the works required to the 162sqm of land to be brought into use as playing field. The schedule of works should be prepared and undertaken by a sports turf specialist and in accordance with Sport England's 'Natural Turf for Sport' guidance. This could be dealt with via condition if required.

-There is an overall quantitative loss of approximately 1,278sqm of playing field land as a result of the proposed development. It does not appear feasible to provide a new area of playing field land within the site and therefore Sport England would consider qualitative improvements to the two rugby pitches in lieu of a quantitative replacement in this case. A schedule of works should be prepared and carried out by a sports turf specialist and in accordance with Sport England's 'Natural Turf for Sport' guidance. This could be dealt with via condition if required.

-Ball Trajectory Assessment to inform the type, height and location of ball stop netting required. The location of the ball stop netting should be on the developers side of the boundary and be managed and maintained by the developer or their appointed management company. This is to comply with paragraph 187 of the NPPF (agent of change principle).

-Details of the location of the relocated sports lighting and type of sports lighting heads. The lux levels will need to comply with RFU requirements and that element should be discussed with the RFU.

-Details of the works to the land drains as cited in the Rugby Clubs letter in Appendix 1 of the Planning Statement.

-Details of how the works required to the Rugby Club will be secured given this area falls outside of the applications red line boundary.

-Any works to the Rugby Club will need to be implemented prior to loss of any part of the playing field.

In response, the applicant submitted details and a response to address the concerns raised.

These relate to qualitative improvements to the wider rugby club site to mitigate the loss of natural turf playing field.

Sport England consider that as the loss of playing field is along the periphery and does not affect the continuity of use to the rugby club then such measures are considered acceptable in principle, although a full schedule of works will be required by the inclusion of an agreed condition/s – specifically with regard to the playing pitch ground conditions. The objection has subsequently been removed.

Highway Services

It is noted that the site is located adjacent to the adopted highway of Victoria Avenue East. An existing unadopted access is in place to provide access into the existing car park. The site is currently occupied by a bar/restaurant with 97 car parking spaces.

The following comments area made:

Trip Generation and Junction Capacity

HFAS (Highway Forecasting and Analytical Services) and UTC (Urban Traffic Control) were consulted in relation to the trip generation and junction capacity assessments.

TfGM HFAS are satisfied that the existing and new development trip rates are acceptable.

The trip split is acceptable with 50% of trips defined as new. The trip distribution calculations are acceptable.

It should be noted that TfGM UTC were commissioned to model Greengate Roundabout and the results appear to have been accurately reported in the TA. The development flows do not cause significant congestion.

TfGM UTC have had previous discussions regarding this scheme and agreed that there are no simple solutions to improve the operation of Greengate Roundabout, so the applicant have agreed to pay £45K to fund CCTV at the roundabout. Highways agree with this approach.

Highway Safety

There are no concerns about highway safety issues within the vicinity of the site.

Site Accessibility

The site is well accessed by sustainable modes, with regular bus services routed along A6104 Victoria Avenue East which provides connections to Royal Oldham Hospital, Harpurhey, Monsall, Oldham, Higher Crumpsall, Middleton and Higher Blackley. Further bus stops are in place on Greengate which provide connections to Piccadilly Gardens and Alkrington.

The closest railway station is located at Moston and provides connections to Rochdale and Clitheroe.

Off-site Highway Works

It is understood that the site will remain unadopted.

The existing vehicular access to the site off Victoria Avenue East will be closed and full height kerbs and footway will be reinstated. It is understood that part of this work will be undertaken on the adopted highway. Therefore, work to the existing access will need to be done as part of a Section 278 agreement.

The existing pedestrian crossing on Victoria Avenue East will be replaced with a signalised crossing. The removal of the existing crossing will require the existing pedestrian guardrail to be extended. This is acceptable to Highways.

Additionally, a staggered puffin crossing is proposed on Victoria Avenue East within the vicinity of the proposed foodstore and existing residential apartments. The plans are acceptable to Highways and TfGM in principle. The installation and commuted costs will have to be wholly funded by the applicant. The puffin crossing arrangement should be included in the conditions of any planning consent.

A new vehicular access to the site will be included in the proposals. This will be situated 25 metres to the east of the existing access point. The access will be in the form of a T-junction.

The road markings and right-turn bay along Victoria Avenue East will also need to be reconfigured to line up with the new access. This should be undertaken as part of a S278 agreement.

There will be designated pedestrian routes within the development site to ensure there are safe routes for pedestrians in the car park. A pedestrian crossing will be provided within the car park along key desire lines.

The application also proposes minor works to the adjacent sports club facility. The works will include the construction of a new vehicular access and egress which will be taken from the proposed foodstore vehicular access/egress. These proposals will impact on the adopted highway and as such a Section 278 agreement will again be required.

Parking and Access

The proposals will include 119 parking spaces for the proposed foodstore. Of these 8 will be accessible, 9 parent and child and 4 EVC.

The car parking area and access road to the residential apartments and gym will be reconfigured as part of the proposal. New road markings and slow signage will be installed. The access road to the residential and gym is clearly defined within the site.

There will be areas of public realm throughout the foodstore site and pedestrian walkways will be in place to provide access to/from Victoria East. Although, these are located within the red line boundary of the site and not adopted. It is recommended that the footways are 2 metres wide to provide enough space for pedestrians to pass on another.

EV Charging

4 of the 119 parking spaces will be EVC with below ground infrastructure installed to provide an additional 20 EVC in the future. This is acceptable.

It is requested that the usage of EVC parking spaces is monitored as part of a Travel Plan

Cycle Parking

14 short-stay cycle parking spaces will be in place in the form of 7 Sheffield cycle loops for customers, whilst long-term cycle parking will be in place within the warehouse for staff. The visitor cycle parking spaces will be sheltered by the stores canopy and situated close to the entrance of the store providing visibility from the store and car park.

It is requested that cycle parking use is monitored as part of the Travel Plan.

Following receipt of revised details, the cycle parking arrangement is considered acceptable.

Boundary Treatment

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.]

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

Servicing

Servicing of the site will take place via the customer access point off Victoria Avenue East. Service vehicles will access the site via Victoria Avenue East to the service dock situated in the north-west corner of the site. Service vehicles will not access the customer car park, which is welcomed by Highways.

It is anticipated that four 16.5m articulated vehicles will access the site per day and a daily milk collection and bin collection will be undertaken daily by a rigid vehicle.

All vehicles will enter and exit the site forward gear. Tracking for a 16.5m refrigerated articulated vehicle has been undertaken. The swept path shows that vehicles can access the site access, manoeuvre around the site to the service ramp safely. This is acceptable to Highways.

Marshalls will be in place to guide pedestrian safely around the site when servicing vehicles are reversing and manoeuvring. This is welcomed by Highways.

It is requested that servicing take place outside of peak hours to reduce congestion. It is requested that a Service Management Strategy is produced and submitted for the proposed foodstore.

Travel Plan

A framework Travel Plan has been produced. A full Travel Plan is to be completed within six month of the occupation of the site. The objectives, targets and indicators, management strategy, measures to encourage sustainable travel, marketing strategy and monitoring and review from the Framework Travel Plan will be included in the Travel Plan. This is acceptable to Highways.

Construction Management

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction.

Environmental Health

Conditions are requested in relation to construction/demolition management, hours of use, servicing hours, external lighting, noise management, acoustic insulation, external plant equipment, ground conditions, air quality and waste management.

Flood Risk Management

A condition is required which requires the submission and agreement of a surface water drainage scheme and for its subsequent maintenance.

United Utilities

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by the proposal and to demonstrate the exact relationship between any United Utilities' assets and the development proposed.

It is recommended that the application is not progressed further until the exact location of the water main asset is confirmed and so that the implications for the proposed site layout can be fully understood and redesigned if necessary prior to determination.

As the submission has identified, development is proposed close to, or potentially over, a United Utilities water main, the applicant must provide clarity on the exact location of the asset to ensure it will not be directly built over.

Conditions are advised in relation to the protection of sewer assets, foul and surface water drainage and its subsequent maintenance.

Cadent

No objection. An informative relating to the protection of their assets is requested.

Work & Skills Team

A condition requiring a construction and an end use/operational agreement for local labour is requested.

Greater Manchester Police (Design for Security)

The application is supported subject to the layout issues within Section 3.3 of the submitted Crime Impact Statement being addressed and the physical security measures within Section 4 being implemented.

Greater Manchester Ecology Unit

In response to the application has submitted, it is considered that whilst there are no significant ecological issues associated with the site. The site consists primarily of hardstanding with small areas of amenity grassland, with the M60 forming a significant ecological barrier to the north

There does however appear to be a net loss of biodiversity.

The proposed layout shows an increase in the area of hardstanding and built form, with a net loss of trees and a species of lower ecological value for replacements and a net increase in ornamental planting. This will result in a net loss of biodiversity.

Given the layout it is probably not possible to achieve net gain on site, but the landscape proposals could be improved through use of only locally native tree species. Currently the majority of species on site are Silver Birch - a high value local native species.

The only species of interest is likely to be nesting birds. A condition is advised which would prevent clearance works during the bird nesting season.

The submitted bat survey shows that the buildings proposed to be demolished were assessed as low risk and subject to dusk surveys in 2020 towards the end of the optimal period for dusk surveys. As the bat survey is becoming outdated, it is advised that if demolition does not commence before 30 April 2023, the buildings should be resurveyed for bats and the finding supplied to and agreed in writing by Local Planning Authority.

Following the submission of revised details, it is accepted that the landscaping has the potential to achieve no net loss of bio-diversity dependent on the planting schedule and it would be satisfactory if all trees were locally native and the hedge was a native species such as beech. This detail could be conditioned with a requirement for a revised planting schedule to be agreed.

The Coal Authority

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the application site is likely to have been subject to historic unrecorded coal mine workings at shallow depth associated with a thick coal outcrop. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The site also lies within a Surface Coal Resource Zone.

The Coal Authority considers that the content and conclusions of the submitted Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

Further, more detailed consideration of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Other matters

Consultation & Publicity

The proposal, by virtue of the number of units created has been classified as a small-scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development. A site notice has been displayed at the application site.

Environmental Impact

The development includes more than 1 hectare of urban development which is not dwellinghouse development and therefore meets the relevant threshold for screening against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Following an assessment of the information to support the application, the City Council considers that an Environmental Impact Assessment is not required.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) - refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) - states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EC1 (Employment and Economic Growth in Manchester) - looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy C1 (Centre Hierarchy) - Development of town centre uses will be prioritised within Manchester City Centre, District Centres, and Local Centres in order to maintain their vitality and viability, provide services as locally as possible and minimise the need to travel by car. Within North Manchester the district centres are defined as Cheetham Hill and Harpurhey, and the local centres are defined as Victoria Avenue/ Rochdale Road (Charlestown), Hollinwood Avenue/ Greengate (Moston), Lansdowne Road/ Crumpsall Lane (Crumpsall), Worsley Avenue/ Kenyon Lane (Lightbourne), Moston Lane (Harpurhey), and Collyhurst (as part of redevelopment).

Policy C8 (Local Centres) - Local shopping and service provision in local centres should be retained where it remains viable and provides an important service to the local community. The provision of new small scale retail facilities will be encouraged where they would provide for local every day needs and would not be harmful to the vitality and diversity of nearby centres.

Policy C9 (Out of Centre Development) - Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

-There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;

-The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the city centre and designated; district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,

-The proposal is appropriate in terms of its scale and function to its location.

Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

Policy T2 (Accessible Areas of Opportunity and Need) - states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Within the City Centre, development should provide a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities.

Policy EN1 (Design Principle and Strategic Character Areas) - relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN4 (Reducing CO₂ Emissions by Enabling Low and Zero Carbon Development) - concerns reducing CO₂ emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN6 (Target framework for CO₂ reductions from low or zero carbon energy supplies) - states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

Policy EN8 (Adaptation to Climate Change) - All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:

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

- Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways;

- The need to control overheating of buildings through passive design;

- The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation;

- Developers will be permitted to use green infrastructure elements such as green roofs, green walls, street trees and waterways to contribute to compliance with CO2 mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance.

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

Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities) - The Council will seek to retain and improve existing open spaces, sport and recreation facilities and provide a network of diverse, multi-functional open spaces. Proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent replacement space will be provided in the local area or the site has been demonstrated to be surplus.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues stat that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester’s principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) - states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN19 (Waste) - states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Policy DC26 (Development and Noise) - states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

In addition, the below guidance and documents are also considered to be important material considerations.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Places for Everyone Greater Manchester Joint Development Plan (Draft August 2021)

The draft version of the Places for Everyone Joint Development Plan was published in August 2021 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. As this plan is at an advanced stage it would now be considered as a material consideration for planning applications.

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 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.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

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

Sections 4, 6, 7, 11 and 12 are considered relevant to the consideration of this application.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

Town centres and retail - Paragraph 91 states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests. This should ensure that any proposed main town centre uses which are not in an existing town centre

are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise.

Paragraph 9 states that the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.

Paragraph 15 states impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:

- Scale of proposals relative to town centres;
- The existing viability and vitality of town centres;
- Cumulative effects of recent developments;
- whether local town centres are vulnerable;
- Likely effects of development on any town centre strategy; and
- Impact on any other planned investment.

Paragraph 17 states that the impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.

Noise - 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.

Air Quality – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Other legislative requirements

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

Principle

The principle of the proposed development is considered acceptable and would make efficient use of a previously developed site to provide increased shopping choice for the local population, whilst providing environmental improvements and would contribute to the local economy through the creation of jobs.

Although the proposed store is situated within an out-of-centre location in planning policy terms, the applicant has demonstrated that there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable. The proposal would not have any unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and the proposal is appropriate in terms of its scale and function to its location.

The applicant has provided a Planning and Retail Statement which seeks to address the tests within policy C9 of the Core Strategy and justify the proposals in terms of sequential and impact tests set out within the National Planning Policy Framework.

The application proposals provide less than 2,500 sqm of retail floorspace so a full Retail Impact Assessment is not required by either policy C9 or the NPPF. The submitted Retail Statement is considered to be proportionate to the scale of the proposals and acceptable in scope and underlines that there is sufficient qualitative and quantitative need for the proposed store in this area.

Account should also be taken in terms of the fallback position as re-occupation of the existing building for an alternative commercial use is a realistic option.

With reference to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, a new broad '*Commercial Business and Service*' use class (Class E), was introduced, which incorporates a wide range of previous use classes including both restaurants (Class A3) and shops (Class A1).

As a result, the 'change-of-use' of the site's existing building from a 'restaurant' (Use Class E(b)) to 'shop' (Use Class E(a)) no longer constitutes an act of development. The unrestricted retail use of the existing building (915 sqm) could therefore be lawfully established without the need for planning permission. This represents an important material planning consideration given the modest uplift in proposed retail floorspace.

With reference to all these factors, the principle of the proposed development is considered acceptable and accords with relevant development plan policy and national planning guidance.

An appraisal of the more specific planning issues and the impact of the proposal upon its surroundings is outlined further below.

Redevelopment of the Site and Contribution to Regeneration

The existing buildings have been subject to transient occupancy and periods of vacancy over recent years, as well as attracting anti-social behaviour

It is considered that the proposed retail store will uplift the appearance and function of the wider site and regenerate an under used facility which could be otherwise left to deteriorate.

Employment and Contribution to the Local Economy

The proposed store would add to the diversity of shopping choice and increased competition in the area and provide a discount food store serving the local population. This would be beneficial to nearby residents.

Aside from creating employment during construction and through supply chains, a typical Aldi foodstore generally employs between 40 - 50 staff, delivering a significant boost to the local economy. These positions range from managers, administrative roles to store assistants and cashiers.

Aldi has also two of the most successful apprentice schemes and graduate programmes in the UK. Apprentices are trained to work in all parts of the business including at store, distribution, logistics and management level, as well as progression through to the Store Management Team.

In order to ensure these local labour benefits are delivered, a condition has been included which requires that the applicant enters into a local labour agreement to target local residents for employment and training opportunities generated by the development.

On this basis, it is considered that the proposed development would add positively to the local and wider economy.

Retail Impact

Due to the site's out-of-centre location, the application has been accompanied by an assessment of the retail impact, as a consequence of the proposed store.

Policy and guidance underlines that the scale and scope of retail assessments should be proportionate to the scale of development proposed and this is applied in this instance. Policy is also permissive of retail development outside of designated centres if the sequential and impact tests are satisfactorily addressed. As set out below, it is believed that the relevant policy tests have been met.

Sequential Site Assessment

The NPPF and Policy C9 of the Core Strategy require that the sequential approach to site selection should be applied to all development proposals for main town centre uses that are not in an identified centre and not in accordance with an up-to-date development plan. Applications for main town centre uses should be located within a town centre, then in edge-of-centre locations, and only if suitable sites are not available should out of centre sites be considered. The NPPF further requires that applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale.

In this case, the nearest centre is the local centre of Hollinwood Avenue, located approximately 800 to the east of the site. Due to the out-of-centre location of the proposed site, a sequential site assessment has been undertaken by the applicant which accords with an agreed catchment area based on a 5 minute drivetime. The drivetime is considered a realistic geographic area from which a foodstore will draw the vast majority of trade.

The assessment takes account of alternative sites that are located within or on the edge of existing centres which serve an equivalent catchment and which could accommodate the scale and form of the proposed development. It is therefore necessary to define any alternative sites that could accommodate the specific trading characteristics of a discount foodstore of the floorspace proposed and with an appropriate level of associated parking within a defined catchment area. The assessment should also make reference to Planning Practice Guidance which indicates that the application of the sequential test should be proportionate and appropriate for the given proposal.

The only centre within the defined catchment area is Hollinwood Avenue with Victoria Avenue local centre situated just beyond. No other centres within Manchester's retail hierarchy fall within the catchment area.

An assessment of site appropriateness has been undertaken in both of these areas and based on the scale, form and characteristics of the proposed store format, there are no other sites that are suitable, viable or available. It therefore stands that following a robust assessment of nearby sites, there are no sequentially preferable

site within or on the edge of the identified centres which could realistically accommodate the proposed store.

Retail Impact Assessment

The NPPF states that retail proposals not located within an existing centre should be assessed according to their impact (if any) on existing centres. Impact assessments should be provided for all proposals over 2,500 sqm when the proposal is not located within an existing centre and not in accordance with an up-to-date development plan.

Core Strategy Policy C9 states that the level of detail within impact assessments for proposals of less than 2,500 sqm gross floorspace should be proportionate to the scale and nature of the development proposed and its likely effects on designated centres. For all proposals of 2,500 square metres gross floorspace and over, a full assessment will be required.

Supporting policy text goes on to states that the impacts of out-of-centre development will vary across the city and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only.

In light of the above, as the proposal is less than 2,500 sqm a full, quantitative impact assessment is not required and the proposed store at 1,884 sqm is significantly below the relevant threshold.

Nevertheless, based on the supporting justification to Policy C9, account has been taken as to the qualitative impact of the proposed store.

In assessing the trading impacts of the proposed discount foodstore regard has been had to the approach advocated within Planning Practice Guidance when examining the diversion of trade. This uses a 'like affects like' principle with the reasonable assumption that a new discount foodstore will divert the majority of trade from equivalent surrounding food shopping destinations.

The applicant has provided an assessment of trading impact to surrounding mainstream foodstores and centres, taking account of both convenience and comparison retail goods expenditure

The analysis concludes that the proposed store is highly unlikely to result in a significant impact to the long-term trading performance of surrounding mainstream foodstores and with only limited trade diversion from existing centres and smaller shops and services.

The assessment includes a health check analysis of these areas in order to determine vacancy rates, environmental conditions and the current vitality and viability of any of the two identified, defined centres and shops will remain largely unaffected. There is no evidence to suggest that the role and function of these centres will abate following the introduction of the proposed foodstore and would therefore comply with the relevant policy and guidance.

On balance, it is not considered that the proposed store will give rise to any significant adverse impacts on these centres.

Disaggregation

The applicant has provided convincing evidence as to why the business functions of the proposed retail operator cannot be disaggregated. This is supported by a decision by the Secretary of State and Planning Inspectors that a single level retail operation is essential to the proposed business model and that consequently disaggregation cannot be achieved without the benefits of the discount format being lost. The Council are therefore satisfied on the basis of the proposed business model of the discount retailer, disaggregation would not be viable or feasible in this instance.

Conclusion

It is considered that the applicant has undertaken a robust and proportionate impact assessment and that there are no sequentially preferable sites, the proposed store can be satisfactorily accommodated without any significant effects upon existing retail operations within the identified catchment area, the store will not have a significant harmful impact upon the health of nearby centres and that there is sufficient capacity within the system so not to affect the viability of other operators.

It should also be noted that given the existing building, 915 sqm can already legitimately be used for unrestricted retail use and the current proposal would only result in a modest uplift of floorspace. Moreover, in this case the proposed operator (Aldi) does not provide the full retail offer. It provides a limited range of convenience and an ever-changing range of comparison goods and does not offer the range of services provided by the mainstream food retailers or smaller independent stores. As such, the impact is different than if a mainstream retail operator was to occupy the store.

It is believed on balance the proposed store is located within a sustainable location and that the addition of a discount retailer will add to consumer choice and quality of shopping provision in the area in which the site is located. On this basis, the retail impact is satisfactory.

Demolition of the Existing Buildings

The demolition of the existing building should not form a barrier to redevelopment. The present structure is considered to be of minimal architectural merit and its replacement with a modern retail store would offer significant public benefits by leading to environmental, social and economic improvements to the local area.

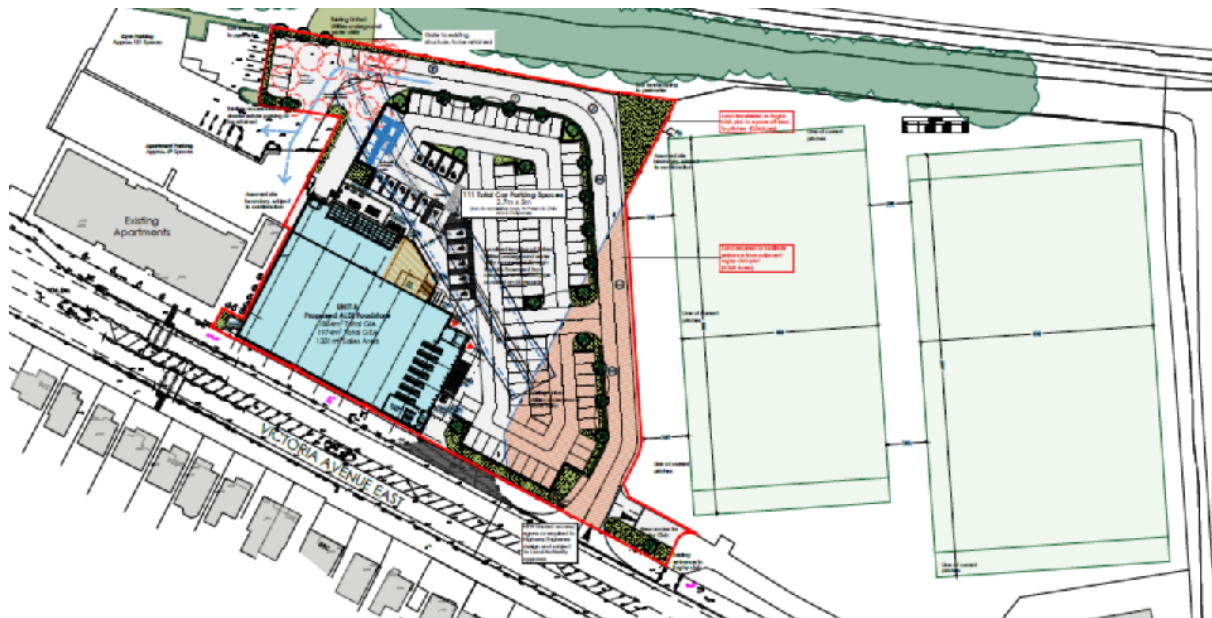
The replacement development will incorporate measures that will enhance energy performance and due its sustainable location will also reduce the need for local residents to travel for their food shopping.

Site Layout

The proposed building is focused to the front of the site to provide an active frontage onto Victoria Avenue East, as well as towards the site's new vehicular access road to the east. Along the northern edge (rear) of the building a plant and servicing area is proposed, screened by a timber fence.

To the rear is a 119 space car park accessed from a new vehicular access off Victoria Avenue East. The existing access is to be relocated slightly to the east to allow for improved access to the site. The new access route will circumnavigate along the eastern and northern boundaries of the site to provide a route not only for the proposed foodstore and its associated car park, but also to the neighbouring apartments and gym. The route will be maintained as a right of way at all times.

The eastern boundary of the site is to be extended and involves the use of an area of surplus land associated with the neighbouring rugby pitch situated immediately to the east.



Proposed site layout, including the neighbouring sports pitches

In part compensation, the proposal includes a land transfer involving an extension of the existing playing fields at the north-western corner of the playing fields.

The new boundary will allow a new access for the for the neighbouring rugby club into their existing pavilion and will include new fencing.

The wider site incorporates new elements of soft landscaping, involving ornamental shrubbery and tree planting, including areas to the southern perimeter fronting Victoria Avenue East and the new access road. This helps softens the appearance of the site and screens the car park from the road.

Design, Scale and Appearance

The proposed building is single storey, broadly the height of a typical two storey dwellinghouse and of a similar in height to that of the existing restaurant proposed to

be demolished. The building is roughly rectangular in shape and incorporates a flat roof.



Street-scene elevation when viewed from Victoria Avenue East

The building is of contemporary design, largely representative of Aldi's standard format adopted across the UK.

In terms of appearance, the building incorporates a material palette selected to be in keeping with the neighbouring residential apartment building and dwellinghouses opposite.

The materials comprise a combination of brickwork, glazing and composite cladding. Brickwork is proposed to the principal entrance which wraps around the side elevations and front elevations. Extensive glazing is proposed to the front and side elevations visible from Victoria Avenue East. This adds transparency and lightness to the built form and combines well with the brickwork and cladding whilst helping to reduce the appearance of the overall mass. Two types of brickwork is proposed along the southern (front) elevations which helps to further break up the built form with step in parapet height also incorporated.

At high level above the glazing are element of vertical plant cladding, set back in with the glazing to help break up the appearance of the elevations. The northern (rear) elevation incorporates a mixture of vertical and horizontal cladding.

To the north-eastern corner of the building, above the main entrance, is an aluminium canopy to provide shelter form the elements which also provides a focal point to the main point of access.

It is considered that on balance the proposed store is of a satisfactory, modern design quality that is sympathetic to the scale and appearance of the immediate area and which relates well to neighbouring buildings, assimilating effectively into the street-scene, whilst introducing vibrancy to this part of Victoria Avenue East.

Impact to the Highway

A Transport Statement accompanies the application which assesses trip generation, parking demand and highway safety, whilst acknowledging the highly sustainable location of the application site and how the site is accessibly located within close proximity to a range of transport modes.

Parking

The site currently contains 97 car parking spaces for the existing restaurant. As part of the reconfigured parking area 119 parking spaces are proposed for the proposed foodstore. Of these 8 will be accessible, with 9 parent and child spaces. 4 of the parking spaces will be for electric vehicle charging (EVC), with below ground infrastructure installed to provide an additional 20 EVC spaces in the future. This is considered acceptable.

Based on the survey work, involving a car park accumulation assessment, it is considered that based on the floorspace proposed the amount of parking provision is sufficient to cater for anticipated demand, including seasonal variations without the displacement of parking onto the local highway network. Highway Services are satisfied at the level of provision which accord with policy standards.

Trip Generation

Trip generation associated with the proposed foodstore has been estimated on the basis of comparable survey data contained within the industry standards TRICS database, with survey data for discount foodstores used to assess the likely traffic attraction of the proposed development. The assessment demonstrates that based on junction capacity and trip distribution, the level of traffic would not be material on the operational performance of the local highway network.

It is anticipated that the proposed store will create 160 two-way trips in the weekday PM peak hour and 202 in the Saturday peak hour, based on average trip rates and 223 two-way trips in the weekday PM peak hour and 282 in the Saturday peak hour.

Following discussions with TfGM a scheme has been identified to mitigate against the impact of the development at the nearby Greengate Roundabout. This would take the form of a traffic camera at the roundabout. This would provide some visibility at the junction which would enable engineers to make customised timing changes remotely when incidents or heavy congestion is reported. The proposal involves the funding for the installation of this camera.

Highway Services consider that with the proposed mitigation in place, the impact of the proposal as a consequence of trip generation would therefore not have a severe impact on the operational performance of the local or strategic highway network.

Access

It is proposed that the foodstore is accessed via a new 'T-junction' with Victoria Avenue East. This will replace the existing T-junction which is located approximately 25 metres to the west. The existing vehicular access to the site off Victoria Avenue East will be closed with the footway reinstated. The proposed access will take the form of a ghost island right turn priority controlled junction and includes an inset informal crossing position. The existing pedestrian crossing on Victoria Avenue East will be replaced with a signalised crossing which will require the pedestrian guard rail to be extended. A staggered puffin crossing is proposed on Victoria Avenue East, in the vicinity of the boundary between the proposed store and the neighbouring residential apartments.

Both the existing and proposed T-junctions also provide access to the neighbouring apartments and gym to the west of the site. The rugby club to the east of the site currently has its own vehicular access junction off Victoria Avenue East, but as part of the proposal the neighbouring rugby club will share the new T-junction with the proposed foodstore, gym and apartments. Off this junction will be a new access point to the east which will provide separate vehicular access to the rugby club. This means that the proposal will lead to there being one junction off Victoria Avenue East to replace the two which exist at present and will offer a safer access route to the rugby club in contrast to the existing narrow gated access point directly onto Victoria Avenue East which is used at present.

Servicing

Servicing of the site would take place via the customer access off Victoria Avenue East. Service vehicles will proceed along the access road on the eastern and northern boundaries of the site, to access the service dock. No service vehicles will enter the customer car park.

In terms of HGV access the assessment shows that HGV access to the site / service area has been designed to accommodate the required turning manoeuvres of the largest servicing vehicle in Aldi's fleet (a 16.5m articulated goods vehicle). A swept path analysis demonstrates that servicing vehicles and access and egress the the site safely in forward gear. This is considered satisfactory.

Highway Safety

Personal injury accident data suggests that there is no particular trend or pattern of road accidents in the vicinity of the site resulting from any deficiencies in the local road network, or the operation of the site.

Off-site highway Works

The proposed development will require a number of off-site highway works. These involve the closure of the existing site access of Victoria Avenue East, reinstatement of kerbs and footway, new dropped kerbs where appropriate, the creation of the new access, a new signalised crossing, extended guardrails, new road markings and the installation of CCTV traffic monitoring and Greengate roundabout. These measures have been provisionally agreed with TfGM and Highway Services.

The installation and commuted costs are to funded wholly funded by the applicant. An appropriate condition detailing the required measures has been included.

Cycle Parking

The site layout has been designed in a cycle friendly way to allow suitable permeability for pedestrians and cyclists. Based upon the standards contained within the Core Strategy cycle parking provision it to be provided at a level of one space per 140 sqm i.e. 14 cycle parking spaces in the form of 7 Sheffield cycle loops for customers, with long-term cycle parking proposed within the warehouse for staff. The

visitor cycle parking spaces will be sheltered by the stores canopy and situated close to the entrance of the store providing visibility from the store and car park. The level and type of provision is considered acceptable.

Travel Plan

A Framework Travel Plan accompanies the application and includes sustainability measures such as on-site infrastructure, connecting with the existing off-site infrastructure, sustainable travel initiatives and monitoring and targets. A condition has been included to ensure a more detailed Travel Plan to be agreed and ongoing compliance.

Conclusion

The Transport Assessment demonstrates that the proposal it not anticipated to have an adverse impact upon the safe and efficient operation of the existing local highway network both now and in the future. This is based on operational capacity assessments of various surrounding junctions.

Residential Amenity

The proposed development is situated within an established mixed-use location adjacent to the main east/west radial route of Victoria Avenue East. Immediately opposite the site are residential dwellinghouses and adjacent to the site to the east is a part four, part five storey apartment building.

Concerns have been raised by nearby occupiers that the proposed use will lead to increased noise and disturbance, particularly due to an uplift in traffic and pedestrian movements, including the use of a new pedestrian crossing on Victoria Avenue East.

Whilst it is acknowledged that due to the nature of the proposed use, both vehicular and pedestrian traffic will increase, it is not considered that the impact will be so significant so to undermine the living conditions of nearby occupiers.

The immediate area is already subject to a relatively high degree of activity, vehicle movements and background noise levels, as a consequence of existing operations, including a gym and the former restaurant, as well as through traffic along a key east/west road that links with M60 motorway.

Given existing environmental conditions it is not considered that there will be any significant impact in terms of noise and disturbance. The relationship of the proposed store with neighbouring residential dwellinghouses is not untypical and given existing background noise levels, the impact is not considered significant. Whilst concerns have been raised about noise generated from the use of the proposed pedestrian crossing, this would be short lived and comparable to groups of people using a pavement and stopping and chatting. The noise to alert people that it is safe to cross would be audible but, on a busy road in an urban environment would not cause such disturbance to warrant a refusal of planning permission. It is often the case that such crossings are located close by to residential properties and any impact would be outweighed by the benefits that the proposed store would deliver.

Qualitative factors should also be taken into account. The existing car park is already subject to frequent vehicle movements, including the route of the neighbouring 24hour gym. Immediately adjacent to the site are playing fields which regularly hosts rugby matches. The immediate area is therefore used to reasonable levels of activity. It therefore believed unlikely that the operation of the store would be significantly harmful.

Perhaps the greatest potential for noise impact could arise from deliveries and the servicing of the proposed store. In particular, the relationship of the proposed loading bay and its proximity to the rear of the neighbouring residential apartment building.

The application has been accompanied by a noise assessment to assess the impact of the proposed development and considers the impact of operations, including servicing and external plant equipment. This has been supplemented by a more targeted assessment based on the background noise levels during earlier Sunday hours following concerns raised.

The overall assessment includes noise modelling to predict the noise levels at the closest sensitive receptors. The assessment concludes that the impact of fixed plant and deliveries would be low.

The assessment indicates that deliveries during both the daytime and night-time periods would be significantly below the level at which a 'low impact' would be expected, when assessed against relevant British Standards and would also comply with Council's noise criteria.

Based on the findings of the assessment, sound emissions from delivery activities can be sustained without significant, undue harm. As a safeguard an appropriate condition has been included to ensure the noise criteria is met

Further conditions have been included to control operational and servicing hours, as well as the need for a Noise Management Plan to ensure delivery activities cause minimal noise, particularly during earlier hours. It is believed with these safeguards, the impact to the local noise environment and existing background noise levels will be satisfactory.

In terms of the physical presence of the proposed store, it is not considered there would be any significant effects. Whilst there are residential dwellinghouses on the opposite side of Victoria Avenue East, the proposed development is only adjoined by residential properties on one side in the form of an apartment building along its western boundary.

A concern has been raised about the potential impact to the windows of this neighbouring apartment building in terms of loss of light.

It should be noted however that the proposed store is single storey and not likely to negatively impinge on residential occupiers in terms of any over-dominance, loss of privacy or overlooking. The building is comparable in terms of its scale and position to the existing building which the store seeks to replace, albeit slightly higher and closer to the back of pavement than the existing situation.

In response to the concern the applicant commissioned a daylight/sunlight study using industry standard methodology as prescribed by the British Research Establishment (BRE) and British standard guidance. The purpose of the report is to assess the potential impact that the proposed development may have on the neighbouring apartments in terms of daylight and sunlight – specifically, the side, south-east elevation that faces directly onto the proposed development and establishes the worst-case scenario. The assessment involves 26 windows most likely to be affected

The main criteria used in such analysis includes the Vertical Sky Component (VSC) which measures the general amount of light available on the outside plan of a window as a ratio (%) of the amount of total unobstructed sky viewable following the introduction of visible barriers such as buildings.

The relevant BRE recommendations for daylight and sunlight are for VSC, measured at the centre of a window and should be no less than 80% of its former value, where the windows(s) do not meet this criteria. If the VSC at the centre of the window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.

Analysis also involves Annual Probable Sunlight Hours (APSH) which measures the amount of potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. BRE guidance states that windows should continue to receive in excess of 80% of their pre-development value or 25% of available hours over a year / 5% of hours in the winter to be considered well lit.

The report concludes that all window receptors tested meet the minimum criteria for sunlight hours both annually and in the winter months, therefore according with BRE guidelines.

22 out of the 26 windows tested meet and are in excess of the minimum requirements for levels of change in daylight and sunlight, with 4 windows only experiencing a minor impact in terms of loss of daylight.

As can be seen from the photograph below and as underlined by the submitted daylight/sunlight study, the windows most affected are those to the eastern elevation of the apartment building, some of which are already obscured by trees. Given that there is an existing building present next door and the proposed foodstore is sited approximately 8 metres away and is of a comparable scale, albeit with a greater forward projection, the impact upon daylight and sunlight is not anticipated to be dissimilar to the existing arrangement.



View of existing apartment building and existing restaurant to the right

It follows that the proposed development would give rise to no more than a minor, isolated impact. It is considered that the neighbouring building and its occupants will not be significantly affected by a loss of daylight and the impact of the proposed building is not so severe or unusual to have a serious impact upon living conditions. The identified impact is of a low level, outweighed by the social and economic benefits that the proposed development will deliver.

In terms of any effects from external lighting around the site, given the modern lighting specification and the relationship with the nearest residential buildings, light spillage is not anticipated to be an issue. A condition is however included to ensure that if any light glare is determined to be problem, this is capable of being rectified. A separate condition requires that the floodlights associated with the sports pitch to be agreed prior to their installation and will require light spillage analysis.

Sport Provision

The proposed development involves the use of some surplus land to the west of the rugby club, and in the club's ownership to be taken to form a vehicular access to the foodstore. An improved access for the rugby club will also be created that will be a shared junction with the foodstore and existing gym and apartments, and a small area of land will be transferred to the Rugby (formerly part of the former restaurants car park) to square off their site. The rugby club is supportive of the proposal.

The area of playing field that will be lost to the development is approximately 1,440sqm. It is proposed to transfer a small parcel of land that is currently part of the former restaurant car park to the rugby club. This area is approximately 162sqm which would result in the overall loss of 1,278sqm of playing field land. This area is not presently used for any formal playing pitch, with the two existing rugby pitches capable of being retained.

Sport England Exception policy E4 relating to the loss of playing fields requires that:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and*
- of equivalent or greater quantity, and*
- in a suitable location, and*
- subject to equivalent or better accessibility and management arrangements.*

In this case, the proposal involves qualitative improvements to the existing rugby pitches including a review of existing ground conditions and turf, ball stop fencing in the form of a continuous dark green, 3 metre high Paladin fence along the proposed foodstore/rugby club boundary based on appropriate ball trajectory analysis, two new 15 metre high, LED flood lighting columns and the inclusion of a new eco drainage channel as part of the proposed new rugby club access road which would link directly into Aldi's drainage system. This is considered to represent an improvement, given that the existing rugby club access does not benefit from any drainage and water is therefore likely to run onto the surrounding playing fields.

It should also be noted that there is a contractual obligation for Aldi to complete these works in order to acquire the land needed for the proposal. Moreover, the playing fields and sport facilities are not presently owned by the clubs that rely on, but by a third party. However, the structure of the land deal between Aldi and this third-party means that when Aldi acquires the small portion of playing field land that it requires to deliver the foodstore scheme, the remaining playing field land and buildings will be gifted to the clubs. The land deal, triggered through the granting of planning permission, would therefore result in the sports clubs no longer paying annual rent to a third-party. This means that these funds can instead be spent on the continued maintenance and improvement of their sports pitches and wider facilities. This is a clear and significant long-term benefit of the proposed redevelopment.

On this basis, it is considered that as no sports pitch will be lost, coupled with the qualitative improvement offered, there will be no negative impact upon sports provision or the clubs that utilise the facilities.

Waste Management

The application includes a waste management strategy which indicates a dedicated bin storage area within an internal, back of house area to the rear of the store.

The proposed bin store provides capacity for all waste streams and demonstrates sufficient capacity for the required number of general waste and recycling receptacles based on the volume of calculated waste. The bins will be collected by Aldi's servicing vehicles as part of the same process through which goods are delivered. The majority of waste will entail recyclable cardboard and plastic which is to be segregated ready for recycling. Food waste is to be stored and collected separately.

In terms of collection bins are to be wheeled by staff directly onto servicing vehicles through a dock leveller system. The store will use private, 16.5 metre articulated vehicles are shown to be able to satisfactorily access and egress the site.

Environmental Health have reviewed the submitted, indicative arrangement and consider it to be acceptable in principle. A condition has been included which requires the submission and agreement of a more detailed strategy to include the number and size of receptacles for each waste stream, as well as for future compliance with the agreed strategy.

Landscaping and Trees

The site predominantly comprises hard landscaping with scattered trees within a small grassland area to north-western corner of the site. The northern boundary outside of the site is heavily treed.

It is proposed that trees to the north-western corner are removed to facilitate parking spaces and the site access road. The trees are clustered in 4 groups and comprise approximately 13 semi-mature, Goat Willow and 7 Silver Birch trees.

In mitigation and following receipt of a revised landscaping proposal involving further tree planting, the number of trees proposed across the scheme has been increased to twenty-six. This has been achieved by more dense tree planting on landscaping strips previously proposed and a further strip of landscaping. Due to site constraints involving an easement for the drain beneath the site and also infrastructure below ground, further tree planting is unlikely to be possible without losing parking spaces.

The landscaping incorporates tree planting around the site and along the access road and site boundary with the rugby club. Further planting, including a hedgerow and ornamental shrub planting is proposed to the site frontage adjacent to Victoria Avenue East which both screens the car park and would lead to visual amenity benefit.



Proposed landscaping

It is considered the proposed landscaping scheme offers a robust, integrated approach in contrast to existing provision and would result in a more planned and visually attractive environment with no net loss of trees or bio-diversity.

Ecology

The site is considered to be of low ecological significance. Greater Manchester Ecology Unit were consulted as part of the application process. No significant ecological issues are raised.

It is accepted that the proposed landscaping has the potential to achieve no net loss of bio-diversity dependent on the planting schedule and the impact is considered satisfactory if all trees and hedgerow are locally native.

Flood Risk/Surface Water Drainage

The application site is located wholly in flood zone 1 '*low probability of flooding*'.

In line with the Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, the applicant has prepared a Flood Risk Assessment and Outline Drainage Strategy.

This statement has been considered by the City Council's Flood Risk Management Team who advise that conditions should be included which require the submission of further design details and details of a clear adoption policy to ensure effective

management and maintenance of the scheme thereafter. If these measures are successfully implemented, the strategy is in principle considered acceptable.

In addition, sewer infrastructure has been identified under the site involving a 300-450mm diameter combined sewer extending from north-west to south-east beneath the northern side of Victoria Avenue East and a 300mm diameter combined sewer extending from north-west to south-east beneath the southern side of Victoria Avenue East. The Thirlmere Aqueduct water main also extends across the site necessitating a 10 metre wide easement which has been accommodated within the proposed development.

United Utilities have liaised with the applicant during the design stage and have ultimately provided no objection in principle to the proposed development provided a condition is included which relates to the protection of the infrastructure assets. An appropriate condition has therefore been included.

Air Quality

The application has been accompanied by an Air Quality Impact Assessment which seeks to demonstrate that the proposal is compliant with the air quality requirements of the Core Strategy.

The assessment includes a qualitative construction phase assessment including dust emissions and also the impact during the operational phase, taking into account exhaust emissions from road traffic generated by the proposal.

The assessment demonstrates there would be no significant impact to air quality which will arise from the proposed development. Through the use of good practice control measures and suitable mitigation the proposed development is not anticipated to result in harmful air quality impacts. Mitigation involves dust dispersal control during construction and the provision of a travel plan, cycle spaces and electric vehicle charging points during the life of the development.

Environmental Health have reviewed the submitted assessment and consider that if the mitigation measures are adopted, air quality is not considered to be a constraint to development.

Ground Conditions

Whilst a Phase 1 Desktop Study was submitted as part of the application, the conclusion of which is accepted by Environmental Health, it is advised that details and recommendations for the scope of the ground investigation and gas assessment be provided prior to the Phase II investigation being conducted. An appropriate condition has been included which requires the submission and approval of a more detailed site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

Crime and Security

The proposed development has been designed with crime prevention and safety fully in mind with measures to be incorporated which will reduce opportunities for crime. Such measures include building and site design that promotes natural surveillance, bollards in front of glazed areas, external lighting, CCTV, alarm systems, well maintained landscaping, enclosed servicing areas and security shutters.

The application is accompanied by Crime Impact Statement which has been reviewed by Greater Manchester Policy (Design for Security). It is considered that provided the physical security measures detailed within the statement are implemented, the proposed development is acceptable from a crime and security perspective.

In order to ensure the appropriate design measures are introduced an appropriate condition has been included.

Climate Change

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The site is situated within a highly sustainable location with excellent access to a range of amenities, transport services and a residential neighbourhood which the proposed use is largely intended to serve, therefore reducing the distance needed to travel.

The site is situated within an existing residential neighbourhood, where existing infrastructure and services can be utilised. It is believed therefore that the proposal harnesses the objectives of sustainable development as advocated by the National Planning Policy Framework (NPPF), which seeks to provide development in sustainable locations, which will support strong, vibrant and healthy communities and contribute to building a strong, responsive and competitive economy.

In terms of the environmental credentials of the proposed development, the application is supported by an Environmental Standards Statement which highlights a fabric first approach with U values, design air permeability and ventilation targets all bettering the appropriate building regulations.

The development is to incorporate air source heat pumps, LED lighting and is to incorporate many sustainability and carbon reduction measures both during construction and once completed which accord with the Council's policy requirements concerning environmental standards.

In addition, the proposed store will adopt a travel plan to promote sustainable transport choices and also includes the provision of electric vehicle car charging spaces within the car park.

A condition has been included which will require verification as to environmental standards achieved, as well more conditions relating to the implementation of a travel plan and electric vehicle charging provision.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part the city, a condition is included which requires the submission and approval of a construction management/demolition plan which details amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Conclusion

The proposed development would make efficient use of a previously developed site, to provide increased shopping choice for the local population, whilst contributing to the local economy through the creation of jobs.

The applicant has demonstrated that given the out of centre location of the site, there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable. The proposal would not have any unacceptable impacts, either individually or cumulatively with completed or approved schemes and the proposal is appropriate in terms of its scale and function to its location.

It is considered that the proposal would uplift the appearance of the site and is unlikely to lead to any negative impacts in terms of the loss of adjoining playing field or to residential amenity and the operation of the local highway.

On this basis, the proposal is considered to accord with the aforementioned planning policy and guidance and there are no material considerations to indicate otherwise.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Conditions to be attached to the decision

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

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

2) The development hereby approved shall be carried out in accordance with the following, revised drawings and documents received by the City Council as Local Planning Authority on 2 September 2022.

6223 BOL New Moston M_03 CGI_02A - Computer Generated Impact
 16223BOL- New Moston - DAS01C - Design and Access Statement
 16223BOL-100D - Proposed Site Plan 1-250@A1 - Proposed Site Plan (site only)
 16223BOL-101D - Proposed Site Plan 1-1000@A3 - Proposed Site Plan (including sports field)
 16223BOL-105A - Proposed Boundary Treatment Plan - Boundary Treatments Plan
 16223BOL-106B - Proposed Street Scene Elevations - Street Scene Elevations
 16223-VL-L01C - Landscape Plan_A1 - Landscaping Plan

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

3) No above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed 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, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

4) Prior to the commencement of development, a construction management and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include;

- Measures to control noise and vibrations;
- Dust suppression measures;

- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

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

5) (a) Prior to the commencement of above ground works, details of a local labour agreement in order to demonstrate commitment to recruit local labour for operational element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved document shall be implemented as part of the occupation of the development. Within six months of the first occupation of the development, details of the results of the scheme shall be submitted for consideration.

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

6) The retail unit (Class E) hereby approved shall not be open outside the following hours:-

08:00 to 22.00 hrs Monday to Saturday;
10.00 to 17.00 hrs Sundays.

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

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

07.00 to 22.00 hrs Monday to Saturday;
09.00 to 17.00 Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

8) Prior to the retail unit hereby approved becoming operational, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as Local Planning Authority. The NMP shall include an assessment of noise from all activities associated within the loading bay and service yard. Where applicable, the noise assessment should take account of multiple noise sources operating simultaneously and report the cumulative impact. The noise impact of the development should be controlled to the criteria set out in the City Council's Planning and Noise Technical Guidance.

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

9) Notwithstanding details submitted, the retail unit hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

10) The development hereby approved shall be implemented in accordance with the submitted Phase I Geo Environmental Desk Study prepared by Earth Environmental Geotechnical Ltd dated March 2020 (Ref: A3469-20) received by the City Council as Local Planning Authority on 4 April 2022. 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 Manchester Core 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 Manchester Core Strategy.

11) When the development commences, the development shall be carried out in accordance with a 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 SP1 of the Manchester Core Strategy.

12) The development hereby approved shall only be implemented in broad accordance with the physical security specifications and resolution of layout issues outlined within sections 3.3 of the submitted Crime Impact Statement (Ref:2021/0574/CIS/01 - version A) dated 24 December 2021, received by the City Council as Local Planning Authority on 8 March 2022. The specific measures shall be agreed in writing with the Local Planning Authority prior to the commencement of above ground works and implemented prior to the retail unit being first brought into use.

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.

13) Notwithstanding details submitted, the retail unit hereby approved shall be occupied until space and facilities for staff and visitor bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning authority. The bicycle parking shall be secure and weatherproofed and shall then be retained and permanently reserved for bicycle parking.

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

14) The landscaping scheme incorporating replacement tree planting shown on drawing referenced 16223-VL-L01C - Landscape Plan_A1 -received by the City Council as Local Planning Authority on 2 September 2022 shall be implemented in full prior to the first occupation of the unit hereby approved. 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 City Council as 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 and DM1 of the Manchester Core Strategy.

15) Prior to first occupation of the retail unit hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

16) If the demolition hereby approved does not commence before 30 April 2023, the building to be demolished shall be resurveyed for bats and the findings submitted to and agreed by the City Council as Local Planning Authority. Demolition shall only be carried out in accordance with the agreed details.

Reason -To ensure bats are protected from demolition works, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

17) Notwithstanding details submitted, a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the units hereby approved. In this condition a Travel Plan means a document which includes:

- (1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
- (2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
- (3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
- (4) Measures for the delivery of specified travel plan services; and measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (2) above shall be submitted to the City Council as local planning authority for approval. 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 reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

18) The boundary treatment shown on drawing referenced 16223BOL-105A - Proposed Boundary Treatment Plan - Boundary Treatments Plan received by the

City Council as Local Planning Authority on 2 September 2022 shall be implemented in full prior to the first occupation of the retail unit hereby approved.

Reason - In the interests of security and visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

19) The electric vehicle charging points shown on drawing referenced 16223BOL-100D - Proposed Site Plan (site only), received by the City Council as Local Planning Authority on 2 September 2022, shall be installed and operational prior to the retail unit hereby approved being occupied and shall be retained thereafter.

Reason - In the interest of air quality, pursuant to policies DM1 and EN16 of the Manchester Core Strategy.

20) The accessible parking spaces shown on drawing referenced drawing referenced 16223BOL-100D - Proposed Site Plan (site only), received by the City Council as Local Planning Authority on 2 September 2022, shall be implemented prior to the retail unit hereby approved being occupied and shall be retained thereafter.

Reason - To ensure sufficient accessible car parking provision, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) Notwithstanding details submitted, prior to commencement of development (excluding demolition) a scheme for surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

In order to avoid/discharge the above drainage condition the following additional information has to be provided:

- Maximised integration of green SuDS components if practicable, to compensate for the proposed loss of bioretentive features on-site. An appraisal of green SuDS components demonstrating maximised integration should be submitted;

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment i.e. at least a 50% reduction in runoff rate compared to the existing rates for brownfield areas of the site, and greenfield rates for greenfield areas of the site, as the site is located within Conurbation Core Critical Drainage Area. Brownfield rates

shall be calculated from existing drainage where feasible

- 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;

- 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 ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff

rates. An email of acceptance of proposed flows and/or new connection will suffice.

- Where surface water is connected to ordinary watercourse, any works within or adjacent to the watercourse that would affect it would require consent from Manchester City Council as Lead Local Flood Authority;

- 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;

- 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.

- 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, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

22) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a 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;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To 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.

23) No construction shall commence (including any earthworks) until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey that identifies the exact location of the water main, the potential impacts on the water main from construction activities (including the construction compound), the impacts post completion of the development on the water main infrastructure within the red line boundary and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water main both during construction and post completion of the development.

Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

Reason - In the interest of public health and to ensure protection of strategic water mains, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

24) a) Any externally mounted ancillary plant, equipment and servicing to be installed 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 its installation, 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 any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved 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 saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

25) The building hereby approved 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.

b) Prior to occupation of the building hereby approved 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 amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.

26) Prior to the commencement of above ground works, full details of all necessary off-site highway works in accordance with the works detailed in drawing 562-01/GA-01 Rev X, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- Closure of the existing vehicular access off Victoria Avenue East and reinstatement of full heigh kerbs and footway;
- Provision of new site access in the form of T junction along with associated road markings, road reconfiguration and right turn bay along Victoria Avenue East;
- Provision of a Signalised pedestrian crossing on Victoria Avenue East;
- Extension of existing pedestrian guardrail;
- Provision of a staggered Puffin crossing on Victoria Avenue East;

- Provision of traffic monitoring CCTV at Greengate roundabout in accordance with the information contained in the CRA Transport Assessment (ref: 562-01/TA01 dated 16th November 2021);

-Reinstatement of footway for any redundant vehicular crossovers;

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation.

Reason - To encourage walking to the site and in the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

27) Notwithstanding details submitted, prior to the first occupation of the retail unit hereby approved, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the number and frequency of deliveries/collections, vehicle sizes, delivery times, noise management, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved uses are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

28) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by BWB1(Ref: AMM-BWB-ZZ-ZZ-RP-LA-0001_AQA_S0_P02) dated December 2021, received by the City Council, as Local Planning Authority on 8 March 2022.

Reason - To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to policy EN16 of the Manchester Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

29) The development hereby approved shall be carried out in accordance with details contained within the Environmental Standards Statement produced by Watt Energy and Consulting Engineers dated 19 November 2021 and received by the City Council as Local Planning Authority on 8 March, A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

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

30) a) No development shall commence until the following documents have been submitted to and approved in writing by the City Council as Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field equating to 162sqm and the proportionate pitch improvements to North Manchester Rugby Club to compensate for the loss of 0.14ha of open space, which identifies constraints which could adversely affect playing field quality. The assessment should be carried out by a suitably qualified sports turf specialist; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a proportionate, detailed scheme to address any such constraints will be prepared. The scheme shall include a plans, written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a timetable of implementation.

(b)The approved scheme shall be carried out in full and in accordance with the approved timetable of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

31) Prior to first occupation of the retail store hereby approved the ball stop fencing shown with the following documents shall be implemented to the full satisfaction of the City Council as Local Planning Authority and shall be retained thereafter:

16223BOL-105A - Proposed Boundary Treatment Plan;
16223BOL-108 - Proposed Paladin fencing detail.

Reason - To ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

32) Notwithstanding details submitted, prior to the installation of the floodlighting to the rugby pitch, full details, including light spillage analysis shall be submitted to and approved by the City Council as Local Planning Authority. The agreed floodlighting shall be implemented prior to first occupation of the retail store hereby approved to the full satisfaction of the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policies DM1, SP1 and EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

33) If any lighting at the development, including the neighbouring floodlight 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 DM1 and SP1 of the Manchester Core Strategy,

34) Prior to first occupation of the retail store hereby approved the drainage to the rugby club access road shown on drainage layout referenced 9104-SWF-XX-XX-DR-S-9006, received by the City Council as Local Planning Authority on 22 August 2022 shall be implemented in full.

Reason - To ensure that the playing field is prepared to an adequate standard and is fit for purpose, pursuant to policy EN10 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

35) The retail foodstore (Class E) hereby permitted shall have a maximum Gross Internal Area of 1,884 sqm and a maximum net sales area of 1,331 sqm. The sales area shall be used primarily for the sale of convenience goods, with a maximum of 300 sqm used for the sale of 'comparison goods'.

Reason - To protect the vitality and viability of nearby town centres, having regard to Policy C9 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

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: 133148/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:

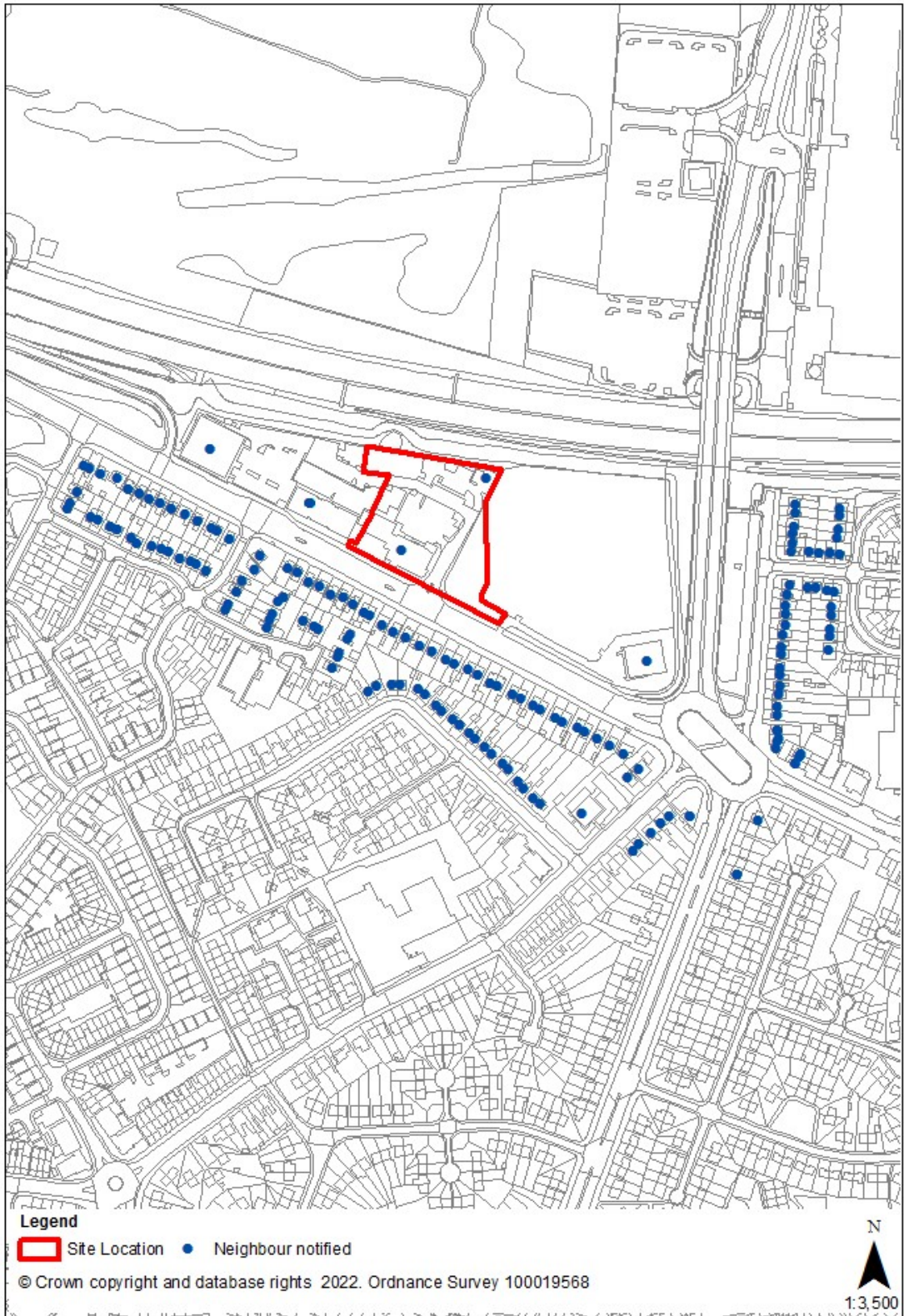
Sport England
 Highway Services
 Environmental Health
 MCC Flood Risk Management
 Work & Skills Team
 Greater Manchester Police
 Greater Manchester Ecology Unit
 The Coal Authority

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

Representations were received from the following third parties:

Sport England
Highway Services
Environmental Health
MCC Flood Risk Management
Work & Skills Team
Greater Manchester Police
Greater Manchester Ecology Unit
The Coal Authority

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : steven.mccoombe@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
133700/FO/2022	6 May 2022	22 nd Sept 2022	Miles Platting & Newton Heath Ward

Proposal Application for development comprising 378 dwellings (134 apartments and 244 houses) (Use Class C3) and a new community building with ground floor commercial floorspace (up to 671 sq.m) (Use Classes E, F1 and F2), all with associated car parking, highways, landscaping, community park and pocket park, and other associated works, with all matters to be considered; together with an outline application with all matters reserved except for means of access, for a new secondary school (Use Class F1), with associated car parking, highways arrangements, landscaping and other associated works, and the erection of up to 338 dwellings (Use Class C3), with associated car parking, highways, landscaping and new public realm creation, and other associated works.

Location Former Jacksons Brickworks, Ten Acres Lane, Manchester

Applicant Nuvu Investments Ltd, C/o Agent

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

EXECUTIVE SUMMARY

This application relates to a former brickworks site that has been vacant for many years. Due to past use, there is a legacy of contamination across the site which has been challenging in terms of bringing forward its redevelopment.

In 2021, the current applicant was able to demonstrate how the site could be remediated and a strategy was subsequently approved following a robust assessment of how this would be delivered.

The application now under consideration is for development following the implementation of the strategy. It would create 716 homes, with 378 (134 apartments and 244 houses) in a first phase together with a community building, a community and pocket parks. 338 dwellings would follow in a second phase, which also includes the provision of a secondary school. Parking, public realm and landscaping would be provided throughout.

Two objections and one general comment have been received.

Key Issues

The principle of the proposal and the schemes contribution to regeneration, as set out in the report, is considered to accord not only with national and local planning policies but would also deliver key outcomes for the city.

This is a significant site which has been in need of remediation for many years; its importance to the city and its role in meeting key objectives has been set out in the local plan and regeneration frameworks. Following remediation, it would deliver a substantial number of new homes, the applicant has confirmed 67.5% would be affordable: the tenure mix being 35% shared ownership, 25% affordable rent, 7.5% social rent, 25% market rent and 7.5% open market sale.

This would equate to 132 units in Phase 1 and 118 in Phase 2 for Shared ownership; 95 units in Phase 1 and 85 in Phase 2 for affordable rent; 28 units in Phase 1 and 25 in Phase 2 for social rent; 95 units in Phase 1 and 85 in Phase 2 for private rent; and 28 units in Phase 1 and 25 in Phase 2 for open market sale.

Together with the new homes, a secondary school would be provided with other community facilities such as community centre, a small amount of commercial space and green infrastructure across the site.

As the site has awaited remediation, self-seeded vegetation has grown up; this has now in part been cleared as a necessary part of the strategy, however, biodiversity improvements and significant areas of new public realm, providing pocket parks and enhancing connectivity through the site to the Rochdale Canal for pedestrians and cyclists will be provided.

The environmental uplift would also include managing surface water risk through green and blue infrastructure such as swales and rain gardens and a fabric first approach to design.

On construction, a local labour agreement would prioritise Manchester residents for construction jobs. Public realm, linkages and green spaces would be created. Homes would be accessible to meet changing needs of residents.

The potential impacts on local residents are fully set out in the report. These include wider impacts from remediation to construction, to operational impacts such as traffic and visually from the development itself. The assessment of these matters has included where mitigation is required and should be embedded in conditions of the grant of consent.

A full report is attached below for Members' consideration.

Description

The application relates to the former Jackson's Brickworks site, which covers an area of 19.1 hectares (47 acres) and is located within the Miles Platting and Newton Heath ward. It was formerly occupied by brickworks use and subsequently used as a waste tip.

The area to the south of the site is predominantly in residential use. Residential properties accessed from Briscoe Lane, are located at the site's southern boundary alongside the Briscoe Lane Academy and Brighter Beginnings Day Nursery. Ten Acres Lane Sports Centre is located immediately to the west of the Site.

Mitchell Street bounds the site to the east, with residential properties and the Newton Heath Resource Centre. Beyond the residential properties lies part of Newton Heath District Centre along Old Church Street including retail uses, located approximately 300 metres to the east of the site.

The Rochdale Canal is separated from the site by a towpath and runs along the site's northern boundary at a lower level. To the northeast of the site, beyond the canal, is an area of residential properties with a partly derelict textile mill building located to the north-west of the site.

The eastern part of the site contains remnants of one of the brickworks buildings; the remainder is vacant and has now been recently cleared for the most part of self-seeded trees and shrubs. Bunds had been created to discourage unauthorised access particularly from Hallam Road and Mitchell Street, but since the removal of the vegetation from the site, a green weldmesh fence has been installed to the perimeter to provide security.

The topography of the site dips towards the west with a slight dome and high point found to the east side within the site's boundaries. The site rises in height by 10 metres from Ten Acres Lane to Mitchell Street in the east.

Prior to the removal of the vegetation, it is understood that there was little natural surveillance into or from within the site, which resulted in reports of anti-social behaviour and illegal activities taking place. This, together with the levels of ground contamination relating to past use, has meant the site has not had a positive impact on the area.

Planning History

Prior to the application in 2021 (ref: 129197/FO/2021) to remediate the site, there have been attempts to bring forward development. This includes residential development proposals approved in the 1980s and 1990s with planning permission being granted for the erection of 126 no. dwellings on land fronting Ten Acres Lane on 29th April 1999 (ref: 055319/FO/NORTH2/99).

Prior to this, consent was granted in March 1985 for a residential development on Ten Acres Lane and Bower Street.

More recently an outline application for development comprising up to 500 residential dwellings and 3,500 sq m of floorspace for B1(a) use (Business), incorporating new vehicular and pedestrian access from Ten Acres Lane, Hallam Road and Mitchell Street was minded to approve at the meeting of the Committee (ref: 098689/OO/2021/N1) on 16th October 2014. This was subject to the signing of a section 106 agreement.

The legal agreement was not completed, and no consent was issued.

Description of development

This is a hybrid application with Phase 1 being detailed and Phase 2 being in outline with all matters reserved, except for the main points of access.

In total, it would deliver 716 new homes in the two phases.

Phase 1 would provide: 378 residential units (244 houses and 134 apartments) with ancillary community space Class E, F1 and F2 (including an ancillary café) creating 617 sq.m. of floorspace. This would cover an overall area of 6.9ha (17.05 acres) . The mix of units would be 32 , one bedroomed, and 102, two bedroomed apartments, and 59, two bedroomed , 134 three bedroomed and 51 four bedroomed houses .



The houses would be a mix of 2, 2.5 and 3 storeys in height, with the three apartment blocks being 3 storeys. The proposed community hub would be 4 storeys in height, with the proposed community hub and café (Class E, F1 and F2) floorspace at ground level and three floors of apartments above as shown in the visual below.



Phase 2 would involve the creation of an access from Mitchell Street, with a connection to the detailed phase of development. This second phase seeks approval for the principle of the creation of 338 new homes, together with the new school and associated sports facilities, including playing field provision. The school would be delivered by LocatED, providing 1,050 school places. LocatED is a government-owned property company, responsible for buying and developing sites for new schools in England.

The overall site area for Phase 2 is 10.58 ha (26.14 acres).

Two main vehicular access points are proposed, one located on Ten Acres Lane, and one from Mitchell Street. A pedestrian/cycle access is proposed from Hallam Road. The masterplan submitted to support the application shows internal link roads throughout the site.

Off-site highway improvement works are proposed to the Ten Acres Lane/ Briscoe Lane junction to enhance capacity.

The residential development has been laid out in block formations linked to internal circulation routes in the detailed element of the scheme. A similar type of layout has been indicated for phase two. The layout has regard to the site's topography and its relationship to existing street patterns and landscape.

The precise siting of the new homes and the school buildings in the later phase would be finalised as part of a reserve matters application. The outline aspect of this current application provides parameter plans which shows the location of the school site relative to the remainder of the site to be developed for housing and heights of each. This being 2 to 2.5 storeys with buildings up to four storeys in key focal points for the residential elements and up to 2.5 storeys for the school.

To support the application an Environmental Statement has been submitted which covers the following issues:

- Design Evolution;
- Construction Methodology and Programme;

- Ecology;
- Ground Conditions;
- Townscape and Visual Impact;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Water Resources, Flood Risk and Drainage;
- Socio Economic;
- Cumulative Effects;

A scoping opinion was issued by the Local Planning Authority on 9th April 2021.

Publicity

The proposal, by virtue of the number of residential units, and small area of the site falling within the Central Park Employment location, and being accompanied by an Environmental Statement, the proposed development has been classified as a large scale major development, as a departure, as affecting a right of way, and as being of public interest. As such, the proposal has been advertised in the local press (Manchester Evening News), on 25th May 2022 and site notices were displayed at locations around the application site on 1st June 2022. In addition, notification letters have been sent to local residents and businesses (total of 1092) in the local area on 19th May 2022.

Consultations

Local residents - 1 email has been received querying whether the proposed dwellings would overlook their garden which backs onto the site, and whether additional fencing would be erected to overcome this matter. They also query whether footpaths would be built to run along the rear of their property as this may lead to antisocial problems.

2 objections have been received from local residents on the following grounds:

-due to the siting of a substation in proximity to their property, and that there are no detailed plans relating to the proposed new school which would be close to their house. Another resident suggests that the substation be located on the Ten Acres Lane side of the site, next to the Ten Acres sports facility or the canal side to reduce potential disturbance. They state this was not on original plans and no information regarding noise pollution, atmosphere pollution and decibel rating received.

- concerns that although the proposed development would not open to traffic from Hallam Road on the current plans (cycle lane only), and they believe this will change in the future. They are happy with the current proposal, advising that Hallam Road is already busy with traffic from the primary school drop offs and pickups.

- concerns regarding building houses on contaminated land, advising that they would be in favour of a residential development, but not if the health of existing and future residents would be adversely affected.

They question how the landscaped areas can be planted when the ground is contaminated.

-Concerns that once the existing capping layer on the site is removed, the scheme will be disturbing contaminated land.

-Recommend transposing the location of the school with residential development so that the playing fields would be located on the area which is contaminated, thereby not disturbing the ground with foundations. The school would then be closer to Ten Acres Lane access, reducing traffic flows on Briscoe Lane. and cars parking to drop off on Hallam Road as it is already a big problem with cars during school pickup and drop off for Briscoe Lane Academy.

-there has been no public consultation meeting where they can see the new plans relating to planning application and speak to people, as not everyone has access to the Internet.

Environmental Health - For the build phase element a separate remediation strategy will be required to detail the treatment of the gardens, public open space, school playing fields etc and the gas/vapour protection measures for the buildings. Conditions relating to ground conditions include the need for the submission of a detailed remediation strategy, a verification phasing plan and verification reporting. A validation phasing plan is recommended as this would give the developer the option to provide plot by plot validation for the housing element to allow a gradual release to the market (which will be easier to keep manage compared to a report for all the residential development being submitted at the end of the scheme. The validation reports are required on completion for each agreed phase in the validation phasing plan.

It is also recommended that conditions are attached to any approval as set out below.

School: Extraction of fumes and odours; acoustic insulation in relation to both the outbreak of noise, and ingress of noise; acoustically treated external plant and equipment; a noise management plan for outdoor sports activities and pitches; waste management; air quality; contaminated land.

The Air Quality Assessment is acceptable, however mitigation methods to include details of EV charge points and boiler specifications are needed.

Residential development: acoustic insulation in relation to the ingress of noise; acoustically treated external plant and equipment; waste management; air quality and contaminated land.

The Air Quality Assessment is acceptable, however mitigation methods to include details of EV charge points and boiler specifications are needed.

Commercial/ community uses: Extraction of fumes and odours; hours of operation, servicing hours; acoustic insulation in relation to the outbreak of noise; acoustically treated external plant and equipment; waste management; air quality and contaminated land

The overall development: a construction management plan; construction hours; and a wheelwash.

Planning Casework Unit - Confirm that they have no comment to make on the environmental statement.

Peak and Northern Footpaths Society - No comments received

Highway Services – Has reviewed impact of the proposal in relation to: site access, the highway network, accessibility, on site car parking and cycle parking, pedestrian connectivity and waste collection.

No objections have been raised however, this is on the basis that there are off site highway works and traffic calming measures introduced within the site.

Some additional information has also been sought in relation to modelling and tracking for certain vehicles.

A Transport Assessment Addendum has been subsequently submitted in response to these comments.

Further comments have been subsequently received advising that the request for a 20mph speed limit to be applied throughout the estate has been agreed. In relation to the provision of traffic calming features at suitable intervals, this will need to be agreed at the Section 278 stage. The redesign of the traffic signal arrangement at the junction of Ten Acres Lane/Briscoe Lane, the introduction of pedestrian facilities (and during phase 1 works) is welcomed by Highways. Confirmation has been provided in regard to electric vehicle charging and parking bay and driveway dimensions. The requirement for 100% house and apartment cycle parking has now been met. Furthermore, confirmation has been received in regard to the manoeuvring for waste collection.

It is recommended that any approval be conditioned to require the submission of an off site highways works and a Construction Management Plan which shall include, where appropriate the following details:

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o 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;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Transport for Greater Manchester - has raised comments about modelling and mitigation measures. Additional information on the school traffic distribution has also been sought.

As already noted above, a Transport Assessment Addendum has now been submitted to address comments. Any further comments raised will be reported to Committee.

Design for Security - support the application subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement are conditioned.

GMAAS- The application is supported by an archaeological desk-based assessment (DBA) prepared in November 2011). Whilst this was undertaken a long time ago, it is concluded that the DBA and its identification of areas of archaeological sensitivity requiring further investigation are still valid. A historic map regression and discussion shows that much of the site has been disturbed by previous clay extraction pits, but the report is particularly useful, showing buildings and features of archaeological interest and areas of potential archaeological sensitivity.

The archaeological interest relates to the sites of two brickworks, old field boundaries, the former line of Ten Acres Lane which is likely to be of medieval origin, and an old flagstone wall near the canal towpath in the north western part of the site. The next stage is for a Written Scheme of Investigation (WSI) to be produced, providing an appropriate scheme of works to evaluate these areas of archaeological sensitivity through archaeological trial trenching. If the evaluation trenching finds significant archaeological remains then a second phase of more detailed, targeted excavation and recording will be required. The flagstone wall should also be cleared of vegetation and recorded. GMAAS recommend that archaeological interests are secured through a planning condition.

GMEU - Have advised that given the legally binding effect of the proposed conditions requiring enhancements in biodiversity to be provided, both for the detailed elements of the scheme and for the outline proposals, they have a high level of confidence that the proposals will deliver the required gain in biodiversity.

Providing that these conditions are imposed on any permissions which may be granted to the applications, they raise no objections on Ecology grounds.

Flood Risk Management - Recommend that a condition is attached to any approval to required that no development shall take place until surface water drainage works have been implemented which have been approved by the LPA , in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority, together with a condition requiring the submission of the details of the implementation, maintenance and management of the sustainable drainage scheme.

United Utilities - confirm the proposals are acceptable in principle to United Utilities, and request the attachment of a condition to any approval to require the development is implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy Report, and that a condition is attached in relation to the submission of a sustainable drainage management and maintenance plan for the lifetime of the development

They further advise that they will not allow building over or in close proximity to a water main. and may not allow building over or in close proximity to a public sewer and it is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Canals and Rivers Trust – Canals and Rivers Trust - The Trust has identified that the main issues relevant to them as statutory consultee are:

- a) Combined masterplan, layout and design
- b) Canal towpath as a sustainable route to the site
- c) Structural integrity of the canal infrastructure
- d) Construction Environment Management Plan
- e) Ecological considerations
- f) Surface water drainage

They also recommend the attachment of conditions relating to the above matters, and condition and a legal agreement to secure a financial contribution towards the upgrading of the canal towpath as part of the Bee Network project, which they feel are necessary to address these matters.

They feel that a development that would provide a frontage and engagement with the canal corridor, and advise the building types facing the canal are acceptable in terms of scale and height and a good amount of public realm is proposed between the housing and the canal, but request that any swales are managed to ensure access to the footpath connections, and ask for consideration for more links to the towpath.

They make comments regarding the materials to the towpath access points, preferring the use of block paving, and state the loss of trees should be compensated for as part of the redevelopment with a net gain in native planting/landscaping, with an associated robust maintenance plan.

They advise that the towpath along this section of the Rochdale Canal will no longer be upgraded as part of the Bee Network project and consider that a financial contribution from developers would needed to either cover increased maintenance costs, or to upgrade the towpath surface to a standard which is more durable and thus able to accommodate increased usage without adding to their future maintenance costs.

In addition, they advise that the structural integrity of the canal and towpath must not be compromised as a result of any works on the site, but note the buildings on the site would be offset from the canal by 11m which should ensure the scheme would not have a direct impact on the structural integrity of the canal infrastructure or result in any loading of the canal washwall. However, a condition is for the submission of Risk Assessment and Method Statement (RAMS) outlining all works

to be carried out adjacent to the canal is requested. Furthermore, due to the ground conditions at the site the submission of a finalised Construction Environment Management Plan is also requested, which includes the details of a bund and its siting to prevent run-off into the canal, to ensure that the potential for contamination of the waterway in terms of dust, solid materials and surface runoff during the construction phase would be addressed.

They request the planting of native species of trees, and that the planting of trees along the canal corridor avoid species which would get too large as these may cause maintenance issues in the future and result in overshadowing of the canal. Reference is also made to the need to treat any invasive species which may be present. A request is also made that final drainage layouts and ongoing management and maintenance of this is conditioned.

The Trust is generally supportive of measures to increase access to and activity along their waterways where it is appropriate to do so, but advises that a commercial agreement which would also need to set out future maintenance arrangements would be needed.

Environment Agency - have no objection in principle to the proposed development but make the following observations.

In relation to land contamination they have and continue to engage with the developers team regarding the investigation, assessment, and potential remediation of the land to ensure any identified (and, as yet unidentified) risks to controlled waters are fully understood and addressed prior to the commencement of the build phase of the development under this full planning application.

It is their understanding the preparation and enabling phase of the work is being addressed under planning permission 129197/FO/2021. The applicants' submissions to date demonstrates it is possible to manage the risks posed to controlled waters by this development. Further detailed information will be required before built development is commenced, which they understand will be addressed under 129197/FO/2021. They believe it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of this planning permission.

Considering the above, the proposed development is acceptable subject to planning conditions requiring the submission of a remediation strategy.

Arboricultural officers- Have reviewed the proposals for this site and would confirm that they would not object to the proposals from an arboricultural perspective, the existing tree stock consisted of mainly self-set specimens with the exception of the

Manchester Poplars which were pollarded to a point where they no longer offer any significant eco system services.

The mitigation planting proposals appear to have considered the importance of incorporating trees into the development and will on maturity, provide an attractive environment to live.

Legislative and Policy Context

Environmental Impact Assessment

As noted in the earlier part of the report an Environmental Statement (Volumes 1 and 2 and Non Technical Assessment) has been submitted. An extensive range of potential environmental effects in consultation with relevant consultees have been considered and issues which could give rise to significant impact identified.

Each of the matters have been fully assessed in respect of methodology, baseline conditions, identification of effects, mitigation and residual effects.

A number of technical topics where significant environmental effects would be unlikely were also identified and these are subject to specific supporting documents and assessment. These include Archaeology, Climate Change , Electronic Interference, Human Health, Daylight, Sunlight, and Overshadowing, Heritage and Wind Microclimate.

These issues are dealt with in detail in the report.

The National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in July 2021.

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

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

The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, there are three overarching objectives, which need to be pursued mutually. Firstly, the economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth. Secondly, the social role is required to support

communities by creating a high quality built environment with accessible local services to reflect the needs of the community. Lastly, the environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making.

Section 5 'Delivering a sufficient supply of new homes' states that in order to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay' (paragraph 60).

With regards to affordable housing, paragraph 65 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 92) which promote social interaction, be safe and accessible and enable and support healthy lifestyles.

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). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 112).

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 119).

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 124).

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

Paragraph 125 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

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

Planning decisions should ensure that developments:

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

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

Conversely, where the design of a development accords with clear expectations in

plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 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 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, sites of biodiversity, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

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

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise

This section states that Local Planning Authorities' should take account of the acoustic environment and in doing so consider:

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

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

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

- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design

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

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

Health and Well Being

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

Travel Plans, Transport Assessments in Decision Taking

This section states that applications can positively contribute to:

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

Relevant Local Policies

The Development Plan

The Development Plan consists of:

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

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

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

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

The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' - one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise

the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

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

Policy T1 'Sustainable Transport' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes, including regular bus and tram services. The detailed element of the application includes the provision of cycle storage and electric charging points, this aspect of the scheme would be conditioned together with a requirement for the infrastructure to enable the provision of further electric charging points in the future. Furthermore, a condition is recommended in regard to the provision of cycle storage and electric charging points and associated infrastructure in regard to the outline element of the proposal. It is considered that the scheme would accord with the broadly aspirations set out in policy T1.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to forms of public transport includes a tram stop within walking distance at the Etihad Stadium, and bus services on Briscoe Lane, Old Church Street and Oldham, and would not have a significant impact on the local highway network and encourage the use of other forms of transport.

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

The development will form a medium density residential scheme (53 dwellings per hectare) within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the access and the layout of the housing along with prioritising the re-use of the previously developed site. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The proposed accommodation would comprise a mix of 2, 3 and 4 bed houses and 1, and 2 apartments. These have been designed to comply with the guidance within the Manchester Residential Quality Guidance in regard to floorspace.

Policy H4 'East Manchester' will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing. Higher density housing will be permitted in certain areas of East Manchester, that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Newton Heath, when the development would be part of a mixed-use scheme. The proposed development would accord with

policy H4 by facilitating the delivery of a wide range of new affordable accommodation consisting of 2,3 and 4 bedroom family houses, and 1 and 2 bed roomed apartments, and the creation of a community hub, incorporating a community café.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. 67.5% of the proposed residential units would be affordable but this is provided through grant funding . The proposed tenure mix would be 35% shared ownership, 25% affordable rent , 7.5% social rent , 25% market rent and 7.5% open market sale.

A viability assessment has been submitted which demonstrates that the development cannot support affordable housing, without the benefit of grant funding. The viability would be reviewed at a later date to determine whether this has changed. Further details will be provided in the main body of the report in this regard.

Policy EC2 ' Existing Employment Space' seeks to retain and enhance the existing employment spaces and enhance existing employment space. Whilst a small area in the north west of the site fronting onto Ten Acres Lane was identified as forming part of the Central Park Strategic Employment Location which lies to the north and south of Oldham Road, this has not been developed out.

Policy EC3 'The Regional Centre'-This site lies within the area defined as the Regional Centre. Within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged. Housing will also be an appropriate use within the Regional Centre. Subject to site and location details, the Regional Centre will generally be a location where higher density residential development is appropriate. The approved remediation works in conjunction with the scheme under consideration would enable the future sustainable development of this site.

Policy EC 5 'East Manchester 'East Manchester is expected to provide approximately 80-85ha of employment land. The majority of this provision will be within the Regional Centre, specifically:
Central Park (policy EC6), B1, B2 ; Eastlands (policy EC7), a major leisure visitor destination with ancillary retail and offices; and the City Centre fringe.

Policy EC6 'Central Park Strategic Employment Location' A small area in the north west of the site fronting onto Ten Acres Lane falls within the area covered by policy EC6. The Policy Central Park as a large scale employment location in East Manchester suitable for 60ha of employment uses, with a range of employment types encouraged across the whole of the Central Park area. For the reasons set out in regard to policy EC 2 above it is considered that on balance the proposed development is able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives for the area

Policy EN1 'Design principles and strategic character areas'. states that all development in Manchester will be expected to follow the seven principles of urban design (character, continuity and enclosure, public realm, ease of movement, legibility, adaptability and diversity) and have regard to the strategic character area in

which the development is located. The detailed element of the proposed development has addressed the principles set out in policy EN1 . The design of the outline element of proposed development will be dealt with at the Reserved Matters stage of the process.

Policy EN3 'Heritage' throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those in the City Centre. New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character , setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens , conservation area and archaeological remains.

The Environmental Statement and Archaeological report references 3 listed buildings/structures within 500metres of the site, Newton Silk Mill on Holyoak Street (Grade II), Church of St. Wilfrid and St. Ann on Oldham Road (Grade II), the Church of All Saints and the railings and gateways to the Churchyard of All Saints on Culcheth Lane (Grade II) 360m to the east .

It is not considered that the proposed development would adversely impact on the setting of the listed buildings as none of the listed building referred to above is within a direct line of sight of the proposed development.

With regards to the heritage asset comprising the former brickworks, the reservoir and a flag stone wall referred to in the Environmental Statement would be affected and it is therefore recommended that any approval be conditioned to require a programme of archaeology works to be submitted in accordance with a Written Scheme of Investigation to ensure any are remains which are found are recorded.

Policy EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies. The detailed element of the proposal incorporates a fabric first approach and the use of renewable technologies to enable carbon reduction within the development thereby according with the aspirations of policy EN4.

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

The application confirms that the dwellings would be built to a high sustainable standard all in accordance with current building regulations Part L1A and sustainable environmental planning policies. Furthermore, that Dwelling Emission Rate has a betterment over the Target Emission Rate, Building Regulations Part L 2016 by 9% relation to Domestic CO2 emissions reduction targets for the properties within the

first phase of the development. It is anticipated this will be reflected in phase two and a condition be imposed to this affect.

Policy EN 8 'Adaptation to Climate Change' states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

Policy EN9 'Green Infrastructure' states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

This is a brownfield cleared site that is subject to much contamination due to past use. The self-seeded trees and areas of unkempt vegetation on the site have been cleared as a necessity of its remediation.

The loss of trees and vegetation is regrettable but there was no alternative if the site is to be remediated and reduce health impacts.

The development itself would involve creating areas of green infrastructure to include pocket parks, green space in association with the proposed community hub and pedestrian connection to the canal towpath and well private usable amenity spaces to the proposed dwellinghouses.

Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' advises that Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards identified in the Core Strategy, and provide a network of diverse, multi-functional open spaces.

This is a private site, it does not contain sport facilities and has been identified for development. Although there may have been some informal use, the site is heavily contaminated and has no status in terms of a green open space.

Notwithstanding this, it is adjacent to the Ten Acres Lane Astro Turf and Sports Complex, and there are significant levels of semi-natural green space within 15 minutes drive time. Brookdale Park is close by and there are other smaller local parks within the vicinity.

Policy EN11 'Quantity of Open Space, Sport and Recreation' states that as opportunities arise, new open space, sport and recreation facilities will be created across Manchester. The Council will seek the provision of new open space, sport and recreation facilities, in particular where:

- a quantitative shortage of a particular use per head of population, including any expected increase of population created by the new development, based

on the findings of the Open Space, Sport and Recreation study and Playing Pitch Strategy, is identified in the local area;

- where significant levels of development are proposed including within the Strategic Housing Location.

-

The proposal would deliver public realm in the form of pocket parks and a community park in the detailed element of the scheme, with in indicative LAP and further public realm in the outline phase of the development. Furthermore, the provision of a school would enable further sports provision to be made available to the local community through a community agreement. It is proposed that this matter, forms a condition of any approval.

Policy EN14 'Flood Risk' advises that proposals on sites greater than 0.5ha within critical drainage areas. In line with the risk-based sequential approach contained within PPS25, policy EN14 seeks that development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA).

All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide.

Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required and the development proposal should take this into account; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse, taking advantage of opportunities to enhance biodiversity and Green Infrastructure. This site is in Flood Zone 1 and the issue is dealt with in greater detail elsewhere in this report.

Policy EN15 'Biodiversity and Geological Conservation' states the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City, with particular consideration to sites of biodiversity value including Sites of Biological Importance (SBIs) and Local Nature Reserves (LNRs). The adjacent Rochdale Canal is an SBI. Policy EN15 requires developers to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. The protected species originally present in the site have been relocated in conjunction with assistance from Greater Manchester Ecology Unit in connection with the previously approved application to remediate the site. With the exception of a tree on the Ten Acres Lane frontage all trees and vegetation have been removed. Measures to respond to ecological enhancement and biodiversity are considered in detail elsewhere in this report.

Policy EN16 'Air Quality' states the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be

expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas. The proposed works have the potential to lead to temporary impacts to air quality due to dust creation as part of the remediation and construction processes to be undertaken.

The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases. Measures to manage air quality impacts during construction process would be fully addressed as part of the construction management plan for the site.

Policy EN17 'Water Quality' sets out that following elements a development must consider in relation to water quality, and that in particular development should avoid any adverse impact on water quality, including during the construction phase; minimise surface water run-off, maximise the use of appropriate sustainable drainage systems, and minimise groundwater contamination; and if close to a watercourse, the development should ensure waste and litter cannot enter the watercourse. It is proposed that the implementation of measures to safeguard the adjacent canal are conditioned to safeguard water quality.

Policy EN18 'Contaminated Land' states that the Council will prioritise remediation of contaminated land. The applicant has provided details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine the levels of mitigation required. As advised earlier in the report, planning permission was approved in October 2021 for the site to be remediated, subject to conditions. As these conditions have yet to be discharged, it is therefore recommended they form part of any approval to redevelop the site. This matter is considered in detail elsewhere in this report.

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

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

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as proposals which would be sensitive to existing environmental conditions, such as noise;

- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

These matters have all been considered and assessed as part of the detailed analysis of the application. In addition to the proposal has been assessed against the Council's space standards.

As set out within the issues section of this report below, the application is considered to accord with these policies.

Saved UDP Policies

Saved Policy EM5 relates to the area of Central Park and seeks its regeneration , including a high quality business park comprising B1, B2 and B8 uses , with high quality landscaping and improved access to the Rochdale Canal. Any new residential development as part of a mix of uses is expected to be of high quality and design to enhance the area. Policy EM5 also recognises that the area is characterised by large area of previously used land and buildings and sites that are currently under used, but the area is well placed to take advantage of its proximity to the City Centre, M60 and road and rail networks.

Saved UDP Policy DC26 advises that the Council intends to use the development management process to reduce the impact on people working and living in the city and will consider the effect of new development proposals that are likely to be generators of noise.

Other material policy considerations

Guide to Development in Manchester Supplementary Planning Document (2007) and Technical Guidance (2015)

The Guide to Development in Manchester - Supplementary Planning Document and Planning Guidance (SPD) was originally adopted on 11 April 2007. The document reflects and provides guidance on the importance of creating attractive, well-designed, well-maintained neighbourhoods. It includes a set of reasoned principles which will guide developers, designers and residents to the sort of development which is anticipated in Manchester.

In addition, technical guidance for developers was published in December 2015. It is composed of two documents, GD03 Environmental Protection and GD05 Planning and Noise.

These documents reflect and provide guidance on the importance of creating attractive, well-designed, well-maintained neighbourhoods. It includes a set of reasoned principles which will guide developers, designers and residents to the sort of development which is anticipated in Manchester.

Manchester Residential Quality Guidance (2016)

This is a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a city of high-quality residential neighbourhood and a place for everyone to live.

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

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

Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008)

This document sets out in detail the Council's Affordable Housing Strategy and sets out the rationale for the target proportion of affordable housing and tenure mix.

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

Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. There are four objectives in order to achieve this vision which relate to quality and function of green and blue infrastructure; its use as a component of new development; improving access and connectivity and promoting wider understanding and awareness of its benefits.

Residential Growth Strategy (2016)

The Strategy aims to ensure that there is the right quality, mix and type of housing in the right locations to meet demand and changing demographics, develop neighbourhoods of choice and improve equality amongst the City's residents in terms of housing choice, quality and affordability in order to develop strong communities.

In addition, the Strategy sets out the aim to "increase supply and density and the conurbation core on brownfield sites within the Northern and Eastern Gateways.

The proposed development would accord with these aims, in relation to the provision of a mix tenure scheme which would deliver affordable housing.

Manchester Climate Change Framework: 2020-2025 and Manchester Zero Carbon Framework (2020);

In November 2018, Manchester City Council made a series of commitments, informed by the Manchester Climate Change Agency's (MCCA) work with the world-renowned Tyndall Centre for Climate Research based at University of Manchester. The key commitments are well documented and work towards the city becoming zero carbon by 2038, significantly accelerated from the original target of 2050.

A draft Manchester Zero Carbon Framework has been developed which sets out the City's overarching approach to meeting its science-based climate change targets over the period 2020-38 and draft action plans for the period 2020-22 are being developed by the Council and other strategic organisations and sectors.

On 10 July 2019, a motion asking Manchester City Council to formally declare a climate emergency was unanimously agreed. In March 2020 the Executive adopted the Manchester Climate Change Framework 2020-2025. The five-year framework sets out measures that MCC will take in order to reduce carbon emissions from its buildings, energy use and transport.

The proposed development incorporating a fabric first approach and the use of renewable energy in the form of air sourced heat pumps and solar photovoltaics would enable the development to achieve an appropriate level of carbon reduction.

East Manchester Strategic Regeneration Framework

East Manchester Strategic Regeneration Framework's broad aim is to regenerate this area of the city. It identified the need to create sustainable communities; secure the highest standards of physical redevelopment; ensure that development was commercially viable and geared to generating and extending housing choice to a wider cross section of the community; recognising the history of East Manchester; recognising the importance of natural features and enhancing physical and visual connections .

The SRF was refreshed to create a framework for 2008-2018 and specific objectives relating to Newton Heath (within which the eastern part of the application site is located) included the promotion of vacant sites for high quality housing structured on a regular street grid pattern, in particular developing new high quality housing on the former Jackson's Brickworks site. Objectives relating to Central Park (within which the western part of the application site is located) includes promoting Central Park South for wide range of uses, not confined to those reserved for Central Park North. The application currently under consideration has the potential to aid the delivery of these specific objectives.

Eastlands Regeneration Framework (March 2019)

The framework builds on the East Manchester SRF and remains in draft.

Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise

disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

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

Issues

Principle of Development

The site is located between a predominantly residential area of Miles Platting & Newton Heath ward, and an area of commercial /industrial uses to the west. The principle of development is established through the policy framework and the past applications (albeit the last resolution to be minded to approve was several years ago). Core Strategy policies C3 and H4 both support residential development on the site. Furthermore, Policy SP1 states that the emphasis should be placed on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

This part of the City is also a focus for the provision of new residential accommodation on areas of previously developed land. The site has been identified for regeneration and redevelopment for over 25 years, having been identified within the UDP (1995) and the East Manchester SRF (2008-2018). Despite being allocated for residential and commercial uses, none of the previous planning approvals for the development of the site have been implemented. This is likely to be largely due to the highly contaminated nature of the site. With the remediation strategy granted in 2021 there is now an opportunity to bring forward development which would deliver key objectives.

The provision of an additional 716 new homes including a high % of affordable housing, would boost the supply of much needed new homes .This provision together with the school, a community hub and café would contribute to the creation of a sustainable neighbourhood, positively contributing to the regeneration of the local area.

The development would fully accord with the principles of Policies SP1, H1 and H4.

Regeneration

Regeneration is an important planning consideration as it is the primary economic driver of the city and crucial to its longer-term economic success. This report sets out clearly how the site and this development would deliver significant benefits for the area and the city.

Proposed Residential Accommodation

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

The proposal includes a mix of house sizes and includes the provision of affordable housing (67.5%), which would support the Council's residential growth strategy in addition to meeting the NPPF requirements.

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

Affordable Housing

The application has been submitted by Nuvu Development Ltd who are part of the Your Housing Group Registered Housing Provider. It is proposed that the residential units be delivered would be a mix of open market, private rented and social/affordable rent together with shared ownership.

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

The submitted viability appraisal assesses that it would not be viable to provide affordable housing, based on current market conditions; however, the applicant has committed to maximise the quantum of affordable housing to be delivered on the site. Your Housing Group has confirmed it has funding in order to secure delivery the on-site affordable housing through a grant.

The affordable housing would be distributed throughout the site and a tenure-blind approach adopted.

Nuvu Developments (a wholly owned subsidiary of Your Housing Group) would carry out the development works for Your Housing Group. During construction of the scheme the affordable rent and shared ownership properties are transferred to Your Housing Limited (the charitable registered provider arm of Your Housing Group). Your Housing Limited manage the sales programme of homes delivered for shared ownership and are responsible for customer applications and reservations for each development, act as landlord for shared ownership properties and deliver aftercare.

Your Housing Group have confirmed that before any applicant can be offered a property, they must have their eligibility confirmed by the Homebuy Agent for the North West as required by condition of grant by Homes England. The eligibility process is to ensure that applicants meet the criteria for shared ownership – primarily first time buyers – but including people that may have previously owned a property

but can no longer afford to buy one outright . Your Housing Group have indicated a willingness to work with City Council housing officers to consider any applicant they wish to refer.

In addition to the above, the applicant has also agreed to enter into a S106 agreement in relation to a reconciliation clause which would allow viability to be reassessed at a future date.

Climate Change

How climate change is addressed is a key factor in the consideration of planning applications. The proposal and key issues, including air quality, flooding and environment standards are considered in detail in the following sections. This report will therefore consider the relevant specific policies and material considerations and determine whether any undue harm would arise as a consequence of the development.

Ground Conditions

Historically, the site operated as a brickworks, with two large clay extraction pits, which culminated into two extensive excavations that occupied approximately 85% of the site. From the late 1940's onwards the clay extraction pits appear to have been used for landfilling.

Site investigation works have been undertaken and confirmed the scale and nature of the contamination due to this past use. These assessment fed into the approved remediation works (planning permission ref: 129197); the strategy involves general site clearance and removal and disposal of vegetation and trees, fly-tipped materials and surface debris; removal of any asbestos containing materials; break out of hardstanding areas and grubbing out of any subsurface features; processing of crushed concrete, bricks and other appropriate materials; turnover of the top 2-3m of Made Ground and over-dig for some areas of deeper Made Ground (~ 5m depth); and ground gas / vapour mitigation.

As the suite of conditions attached to that approval have yet to be discharged, it is proposed these be attached to any approval for the site's redevelopment.

These conditions had been discussed at length and agreed with both the Environment Agency and Environmental Health and already agreed with the applicant.

These conditions include the requirement for:

- an additional site investigation;
- a detailed assessment of risks to human and environmental receptors (including those off-site).;
- the development and submission of a Ground Stabilisation Works Plan ;
- a verification report
- If, during the undertaking of site works, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority.

- 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.

Ground Gas

As part of the approved remediation strategy, work would involve excavations that are open to the air. It was suggested that perimeter ground gas monitoring would not be required, as gas would be expected to vent to the atmosphere rather than be forced laterally as a result of ground disturbance. However, this would need to be confirmed following the completion of ground gas risk assessments and development of a finalised detailed remediation strategy, which formed part of the previously approved conditioned approach for the remediation works.

Controlled Waters

The site lies in an elevated position alongside the Rochdale Canal which is considered to be a potentially sensitive receptor; this together with the adjacent residential properties could potentially pose a risk of surface egress of contaminated groundwater.

As part of approved remediation scheme, a monitoring programme including fortnightly chemical testing of the Rochdale Canal for contamination was proposed, and that following the interpretation of the results, if there was an adverse impact from the works, suitable mitigation measures would be implemented.

Furthermore, that monitoring would also include the daily environmental inspections of the site boundary for groundwater seepages or contamination run-off to adjacent land, and should these be identified, then migration prevention / water collection should be installed at the site boundary.

A condition relating to the submission of a finalised detailed remediation strategy was therefore agreed, together with further conditions relating to the submission of plans of the existing and proposed site levels in the form of cross sections; that no infiltration of surface water drainage into the ground, where adverse concentrations of contamination is known or suspected to be present, is permitted other than with the express written consent of the Local Planning Authority.

A condition was also attached relating to the submission of measures to protect the canal including requirements relating to measures necessary to reduce dust and windblown debris from the site with suitable dust suppression techniques., and details of the proposed mitigation works intended to safeguard land stability and structural integrity of the canal.

As these conditions have yet to be discharged it is proposed that they be attached to any approval relating to the proposed development under consideration.

Siting / Layout

The detailed element has been designed so that each of the properties would have a street frontage, with residential properties also facing onto Ten Acres Lane and onto

the Rochdale Canal. This would maintain active frontages and surveillance along the proposed routes within the development.

The proposed development comprises a mix of terraced and mews properties with semi-detached houses, and low-rise apartment blocks, which are appropriate and in character with the wider area.



Terraced houses fronting on to Ten Acres Lane (visual image above) to create a presence, semi-detached houses would be set-back behind front gardens allowing for tree planting with parking behind the building line and to the sides. The proposed three storey terraces of houses and apartment blocks to the north of the site would be set back from the Rochdale Canal with a deep landscaped buffer and would provide natural surveillance of the towpath.

The apartments blocks have been located so that they 'hold' key corners, and create strong landmark overlooking key spaces, with the community hub building designed to create a focal point at the centre of the development.



In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings along with the proposed tree planting and landscaping to front garden areas, would contribute positively to the street scene. Off street parking in the form of driveways to dwellinghouses in part of the site, with parking to the rear of dwellings which front onto Ten Acres Lane or the Rochdale Canal would also be incorporated.

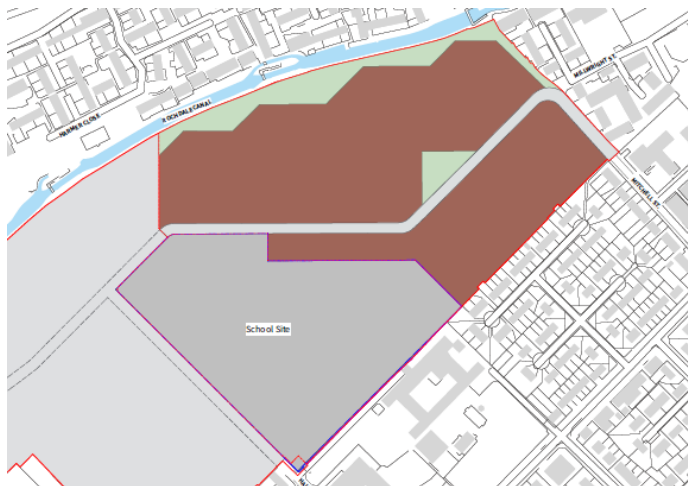
The potential impacts on the residential amenity of existing residents are discussed in more detail below; however, in relation to the siting and layout of these properties, the positioning and orientation of the new properties are considered to be acceptable.

A question was initially raised about whether the proposed school could be located on the frontage to Ten Acres Lane. Options for an alternative site were fully explored with the applicant; however, a location for example onto Ten Acres Lane had the potential to lead to highway safety issues (partly due to the rise in the level of the road to traverse the canal within close proximity to the site), and associated impacts from pick up and drop off arrangements. The proposed location provides the school in the heart of the neighbourhood; in addition, it would be on an area of made ground. If this area was to be used to accommodate new homes, it would require deeper piling and the issues surrounding settlement would be more severe for external space than a playing field.

As such the proposed location of the school presents the best option from a geotechnical perspective, as well as from a transport, highways and accessibility perspective.



As already noted elsewhere, the outline phase seeks approval for access and the principle of development of the school and up to 338 new homes. The parameters plan shows how these can be accommodated together with new public open space.



The access for this phase would be from a north western extension of Mitchell Street and form a connection created in the first phase.

Scale / Massing

The development would comprise 2, 2.5 and 3 storey dwellinghouses with 3 storey blocks of apartments; the community hub would be 4 storey (with community use (including a community café) at ground level with apartments above.

Three storey town houses have been positioned to address the primary route ('The Avenue' -which runs east to west across the site) and to overlook the Rochdale Canal to the north of the site. The 3 and 4 storey apartments blocks are positioned at the key gateways into and within the site to create landmark buildings, which would aid legibility.

Three storey buildings (townhouses and apartments) have been sited facing onto the Rochdale Canal, to the north of the site, to create a strong frontage, with the 4-storey hub building providing a central landmark building centrally within the wider site.

The remainder of the proposal mostly comprises of 2 storey housing, with the use of 2.5 storey houses (incorporating dormer features) to hold key views and reinforce legibility.

The parameters plan for phase 2 indicates a similar height for the residential element of 2 to 4 storeys and the school being up to 2.5 storeys in height. This would ensure a complimentary form of development both in terms of the first phase and as a response to the existing residential neighbourhood.

Overall, the scale of the development responds appropriately to the scale of the existing developments in the area and is considered to be acceptable in this location.

Appearance

The new homes would be contemporary in design, although would involve the use of traditional materials (brickwork and tiles). The images below are typical of the designs which would form the proposed development, ranging from the smaller mews properties to the larger 3 and 4 bedroom dwellings



A contemporary design with similar themes is proposed for the three storey apartment blocks. The proposal would create a modern design based on the housing style in the locality (characterised by traditional interwar semi-detached houses and Victorian terraced properties) and is considered to be acceptable in this location.

It is envisaged a similar theme would run through the later phase.

Residential Amenity

The site is bounded to the south and east by residential properties, together with a primary school, and further dwellinghouses to the north of the canal. As the site has been vacant for a prolonged period of time, it is inevitable that the development would have some impacts. This includes noise from site remediation, construction and once operational.

However, it is not considered this would be to such an extent to cause unacceptable harm, and that conditions set out in the report would enable those aspects likely to

give rise to residential disamenity, to be effectively managed for the temporary period of for example, the construction works.

The distance from the rear elevation of the proposed dwellings and the rear elevations of existing housing to the south is 22.5m, which is an acceptable distance and should not give rise to overlooking.

Within the development a row of part single, part two storey mews houses are proposed; there would be a podium garden on the roof of the single storey element. The design includes a solid wooden privacy screen to the rear of the garden and railings to the front facing the street. Due to the nature of the proposed garden space, there would only be 11m from the rear elevation of these dwellings to the new houses proposed to the rear. To protect privacy, it is proposed that the secondary bedroom window in the latter be obscurely glazed to a height of 1.7m above internal floor level.

The use of conditions in relation to boundary treatments across both phases, together with consideration of the appearance and internal layout of the houses in phase 2 (at the reserved matters stage of the process) would enable privacy issues to be appropriately managed.

It is acknowledged that there would be some increase in traffic, but again this would not be such that it would cause undue harm. It is acknowledged there would be some impact from decontamination of the site and through construction in terms of noise dust.

The remediation of this site and its impacts had been fully considered as part of the planning permission already granted. These phases would be managed and short term.

Townscape and Visual Impact

The site is enclosed for the most part, on all sides by built form, with the surrounding mixed character residential and industrial uses defining the local area of Newton Heath and Miles Platting. The surrounding residential character and that of the Rochdale Canal corridor have strongly influenced and informed the development now under consideration.

The Rochdale Canal is a public right of way and key green route into the city centre, and forms part of National Cycle Network Route 66; it is anticipated that the Bee Network Infrastructure may lead to the canal towpath being widened in the coming years.

There is currently no formal access into the site which has now been cleared due to the reasons set out elsewhere in this report. The loss of the self-seeded trees and vegetation has had some impact in visual terms, but this has been necessary to facilitate remediation to reduce risk to human health. The proposal would deliver new green space and trees, open up the canal which is currently uninviting and together with the built form this would deliver significant uplifts environmentally and physically.

The illustrative visual images below show the relationship to the canal towpath and

within the proposed site.



The design and orientation of the proposed buildings, integrated landscaping and public open space would improve the site visually and deliver a high-quality development on a site with complex ground conditions.

Traffic Generation

It is acknowledged that construction can bring it disruption; this would temporary and the worse impacts can be mitigated with the implementation of a Construction Management Plan. It is not unusual for the impacts to fluctuate as construction progresses.

From the information provided it is suggested that even with fluctuating contractor movements the expected total number of vehicle movements associated with the construction phase of this development would not significantly affect the existing traffic flows. The arrival of vehicles related to construction is also considered to be below that would be expected once the site is fully built out and occupied.

The assessment concludes that the environmental implications of construction traffic are negligible.

The Assessment has also considered the operational phase; inevitably there is predicted to be an increase in traffic on Mitchell Street. However, the overall daily traffic is expected to be significantly below other nearby roads, and in the context of the local area, the level of traffic on Mitchell Street would continue to be relatively low even with the addition of traffic from the proposed development.

The assessment also expects the traffic from the proposed development to have an immaterial impact on driver delay across the majority of the network within the area of study, and that the scheme would deliver enhancement to pedestrian and cyclist amenity.

Ten Acres Lane has been assessed in terms of its capacity, the analysis indicates no issues; however, the proposal includes an improvement scheme at the Briscoe Lane /Ten Acres Lane signalised junction to provide additional capacity. This comprises a widening of the Ten Acres Lane (southbound) approach to allow a separate lane for right turning traffic. It is recommended that a refuge island is installed within the ghost island hatching to the north side to allow pedestrians to cross the road at this point, including the provision of pedestrian facilities on all arms of the junction. An off-street highways condition is therefore proposed.

Overall, the site is considered to be in a sustainable location within walking distance to public transport, the proposal would deliver improved access through the site and to the canal towpath and high levels of cycle storage provision. Trip forecasts in the submitted information show a small percentage of background traffic flows.

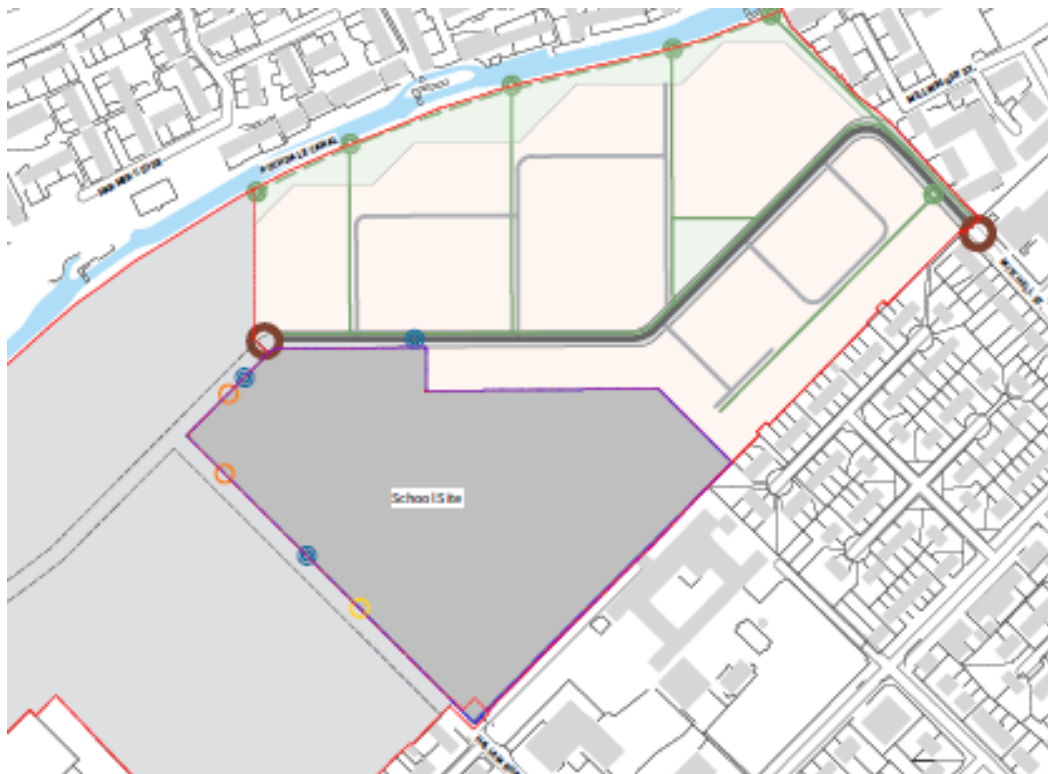
Access

Vehicular access would be from Ten Acres Lane, with a through route being provided west to east joining to Mitchell Street when the outline element of the scheme is designed. The parameters plan effectively provides for a vehicular connection through the site.

An access from Hallam Road has been designed to be accessible only to pedestrians and cyclists; this will help to prevent pupil drop-off to the new secondary school from the existing housing estate. It is understood that pick up and drop off arrangements for the proposed school would take place within the area in Phase 2 of the development ; it is proposed that this aspect of the scheme be conditioned.

Routes within the detailed element of the development have been designed to enable access for pedestrian and cycle users throughout the development, promoting sustainable travel modes, including via direct access to the canal towpath.

The scheme includes some short sections of highway which the applicant (registered provider) is not seeking to be adopted. These areas would be maintained by the applicant or a management company on their behalf.



Further Highway Related Matters and Car Parking

The development includes the provision of 134 off street car parking spaces (100% provision) for the proposed apartments, with 10% provision of spaces for disabled users. There would be off street parking in the form of driveways, or parking provision to the rear of dwellinghouses fronting onto Ten Acres Lane or the canal, with a mix of either 1 or 2 parking spaces depending on the size of the property. This is considered to be acceptable.

The proposal indicates that each house would have an electric charging point for vehicles, with 20% provision for the proposed apartments (cabling provided to all parking spaces to enable future provision). At this stage no details of the kilowattage of the proposed chargers has been provided. It is therefore proposed to attach a condition relating to the delivery of electric charging points, together with confirmation of their capacity to be provided prior to occupation of the first dwelling.

Six electric charging points for vehicles are proposed to the community hub parking facility.

100% cycle storage space would be provided for the new dwellings, on the basis of one secure space per property, in the rear garden. Each apartment block includes a secured communal cycle storage room with a rack to accommodate 9 cycles at ground level within 2 of the apartment buildings where 11 apartments are proposed, and 17 spaces in the other block where 19 apartments are proposed. There would be two cycle storage rooms at ground level within the community hub. Further, commitment has been subsequently provided that 100% provision would be provided for the apartments and it is therefore proposed to condition this aspect of the scheme.

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

Traffic calming is proposed; a condition is recommended to require the submission of scheme to deliver a 20mph zone (via traffic regulation order and boundary signs) accompanied by the traffic calming measures.

There would be a transition from carriageway to pedestrian/cycle routes at Hallam Road and Hallam Road modal filter, at the junction of Primary Road 1/Secondary Road 9, and at Ten Acres Pocket Park (where it meets the Primary Road). Pedestrian crossing points are required at all intersections, and it is anticipated that these would comprise dropped crossings and buff tactile paving. These works would be dealt with as part of the discharge of the proposed highway works condition.

Overall, it is considered that the development would have adequate car and cycle provision to serve the needs of the development. Travel planning is proposed to take advantage of the sites sustainable location; servicing and construction requirements can also adequately met at the site.

Loss of current informal space

The site has been vacant for several years; self-seeded trees and vegetation had developed and there was informal access; the overgrown nature of the site and poor natural surveillance had led to reports of anti-social behaviour. The site has now been largely cleared to facilitate remediation and fenced. If there is any delay to remediation, it was agreed a wildflower meadow would be implemented on site.

The site is private land and is not classed as public open space. There are green spaces in the wider area, this includes Clayton Vale, Moston Brook Valley, Brookdale Park and Broadhurst Park. It has also been identified as a brownfield site for development for many years to meet key council objectives. The proposal itself would provide new green space, tree planting and open space.

Landscaping / Green Infrastructure / Public Realm

A significant level of tree planting (373 trees) would be provided in the first phase with 211 new trees in the second. These would be in front garden areas, the pocket parks and community park, in addition to a deep landscaped buffer along the canal towpath to the northern boundary. The landscaping scheme also includes the provision of native clipped hedge planting, with native herbaceous planting to the water retention swales and rain gardens to the south of the community hub building.

Green infrastructure/ public realm area would be in the form of approximately 1.36ha, within Jackson's Community Park (adjacent to community hub building and fronting the canal) and more in the Ten Acres Pocket Park. This would include play space comprising 0.13ha; Hallam Green, and play space covering 0.08ha; the Hallam Road Pedestrian and Cycle Connection comprising 0.06ha; the Rochdale Canal Linear Park covering 0.41ha and Ten Acres Lane Green Space covering an area of 0.064ha.

The proposed community park would also include the incorporation of play equipment, with young children play equipment proposed in the linear pocket park alongside the proposed route through to the canal.

This represents a significant provision of quality useable public realm for both the existing and future residents in the locality; the needs of elderly residents will also be accommodated.

The final details of species to be planted have not yet been provided for consideration. It is therefore recommended that all soft and hard landscaping treatment proposed for the development are subject to conditions, requiring finalised planting specifications to be submitted for consideration, together with an on-going maintenance strategy with an identified management company.

Landscaping for phase two is a reserved matter, but an indicative plan has been submitted to indicate the split between private gardens and public green spaces, with a further parameters plan showing an illustrative extent of proposed canal side planting; this includes drainage attenuation features and a local area of play (LAP). This approach follows the themes proposed in detailed element of the proposal and

demonstrates that a cohesive comprehensive landscaping scheme is deliverable across the site as a whole.

Trees

In line with the approved remediation strategy, the site has been cleared of trees and vegetation. As noted above 373 trees are proposed to be planted within Phase 1 of the site and 211 in the second phase. The applicant has been asked to reconsider the ratio of non-native trees proposed in order to further improve biodiversity; this has been agreed in principle and the details would be dealt with by condition.

A tree protection plan has been submitted to safeguard existing trees which lie outside of, but in close proximity to the southern and southwestern boundary of the proposed development. It is recommended that this aspect of the scheme is also conditioned.

Habitat Regulations and Ecology

The Rochdale Canal, which adjoins the site to the north, is a Site of Biological Importance Grade A due to the presence of populations of a floating water plantain *Luronium natans* and Grasswrack. It is recommended that conditions are attached to any approval to ensure construction materials do not enter the canal to safeguard the SBI. The proposed development to the north of the site would (with the exception of the proposed hub) be a maximum of three storeys in height and would be set a minimum of 13.2m from the canal at the closest point. There would also be a landscaped buffer set between the properties and the towpath reducing the potential for any overshadowing of the canal. The lighting strategy for Phase 1 incorporates 1m bollard lighting where houses face onto the canal to reduce impacts to bats which use the canal for foraging and commuting.

Protected species that were present on the site have already been relocated with assistance of Greater Manchester Ecology Unit to enable the remediation works already approved to be undertaken. For clarity, all impacts on ecology and biodiversity were considered and addressed as part of that application.

Reference has been made above of the wildflower meadow required in the event of delays to work on site. Due to the interconnected nature of the remediation scheme and this application it is recommended that the same condition form part of any approval of this development.

The Rochdale canal bordered with a green corridor would assist in supporting bats which use the canal. Furthermore, the tree planting with native species would provide habitats for both birds and bats.

The development therefore presents an opportunity to create habitats available to wildlife on site and provide a betterment to its current low ecological value through a net gain. Conditions are recommended in relation to the provision of bat bricks, bat boxes and bird boxes.

Invasive Species

The site was formerly covered by semi mature vegetation, including Japanese Knotweed and Rhododendron; other invasive non-native invasive species are present in the adjacent canal.

The approved remediation scheme includes the safe removal and disposal of invasive species in accordance with the relevant regulations

Noise

It is acknowledged there are existing residents adjacent the application site and with new development and occupation there would be some impacts. However, it is not considered that this would be unusual or significant.

The three main sources of noise that have been assessed in relation to impact on the development itself include traffic noise from the nearby main roads, the noise generated industrial use to the west of the site across Ten Acres Lane, and to the north of the Rochdale canal.

The noise assessment confirms that noise is not a constraint to residential development, and that good standard of acoustic design can be achieved using reasonable and practicable design measures. The report states that some facades of the proposed dwellings located close to the local road network may exceed internal noise guidelines; however, with appropriate mitigation in the form of standard thermal glazing and ventilation, all dwellings will achieve guideline noise levels while maintaining background ventilation levels.

It is therefore proposed that this aspect of the scheme be conditioned. and that a verification report is submitted upon completion of the development and before first occupation of the residential units, to validate that the work undertaken conforms to the recommendations and requirements in the approved report.

Flood Risk / Surface Water Drainage

The proposed development is located in Flood Zone 1, i.e. land defined as having less than a 1 in 1000-year annual probability of flooding in any one year. The site is also at low risk of flooding from all sources. The development has been assessed against the NPPF 'Sequential Test'. Taking into consideration that the application is for a residential development in Flood Zone 1, NPPF confirms that the development is 'Appropriate'.

Following discussions with Flood Risk Management officers it has been agreed that a conditioned approach should be taken in this instance. Conditions relating to the details of surface water drainage and that the system that is put in place is managed and maintained thereafter are proposed.

Surface run off from the proposed and existing development will be channelled away by a combination of swales and attenuation basins, with swales in the landscaped buffer alongside the canal, and raingardens to the south of the community hub building . This would also have the additional benefits of creating a sense of place in terms of distinct character areas and encourage biodiversity.

Sustainability and Energy Efficiency

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

Built in accordance with the fabric first approach detailed in the report with high levels of fabric performance and efficiency, the new homes would constitute a high sustainable standard. This would be in accordance with current building regulations Part L1A and sustainable environmental planning policies. Furthermore, the report states that renewable technologies in the form of air source heat pumps (main heating system) and solar photovoltaic panels (electricity) would be incorporated within the development.

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

Designing out Crime

The application is accompanied by a Crime Impact Statement (CIS) by GMP Design for Security officers . The report suggests that the proposed scheme is acceptable in terms of layout; in order to further improve the scheme from a crime prevention perspective there is a request that consideration is given to secure cycle parking, access control to apartment entrance lobbies, post and delivery arrangements for the proposed apartment blocks and that the overall development achieves secure by design accreditation. These measures are referred to in the CIS

Waste

The waste strategy includes the provision of bins stored in the curtilage of each dwellinghouse for general waste, pulpable recycling, mixed recycling and for green waste. The waste arrangement for the low rise apartment blocks comprises a waste storage room within the building at ground level to serve 11 apartments in Blocks A and C (8x660litre provision). In Block B accommodating 19 apartments 2 bin stores of 8 x 660litre provision are proposed, with 12 x660litre provision proposed to Block D. A condition is proposed to be attached to any approval in regard to refuse storage arrangements within the scheme.

Air Quality

This site is not located in a City Council designated Air Quality Management area (AQMA), although is surrounded by the Greater Manchester AQMA encompassing Oldham Road, Briscoe Lane and Old Church Street (to the north, south and east sides of the site respectively).

The application is accompanied by an Air Quality Assessment which considers the potential impacts to air quality. This demonstrates that the construction phase of the development would result in ‘not significant’ effects on the basis that site-specific mitigation measures are put in place, in accordance with relevant guidance. Such measures would form part of an agreed construction management plan that would be subject to a condition of the planning approval. It is considered that the

impacts on air quality during construction would be temporary and predictable and could be appropriately mitigated through the measures identified above.

The assessment states that the operational phase of the proposed development would also result in 'not significant' effects, and as such no mitigation measures are required. However, specific measures are proposed as part of the hybrid application to futureproof the proposed development which would help to mitigate any potential air quality impacts. These mitigation measures include the planned access and highway improvements (which will reduce congestion generated by the proposal, together with the provision of electric vehicle charging infrastructure and cycle parking at the proposed dwellings. On this basis the scheme is considered to accord with the aspiration of policy EN16. It is recommended that this aspect of the development is conditioned to ensure there are no detrimental impacts to existing air quality conditions as a result of the development.

Ventilation Strategy

A Ventilation Strategy report has been submitted to accompany the application in relation to the community hub, the dwellings and apartments due to the proposed measures for heat recovery, in association with the proposed approach to heating the properties. The strategy has been produced to ensure Part F of the Building Regulations are complied with.

Broadband

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

Archaeology

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

There are no listed buildings within the site or in close proximity to the site. There are heritage assets comprising the former brickworks, the reservoir and a flag stone wall referred to in the Environmental Statement. In view of these, it is recommended that any approval be conditioned to require a programme of archaeology works to be submitted in accordance with a Written Scheme of Investigation to ensure any remains which are found are recorded.

Permitted Development

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

Furthermore, it is considered that there is a case for ensuring that dwellinghouses hereby approved shall be used only as private dwellings and not as serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).An appropriate condition is therefore proposed.

Inclusive Access

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

Towpath

The proposal access to the canal towpath in proximity to the community hub would achieve a gradient of 1:21 facilitating inclusive access. Given the extensive remediation works required and the after extensive landscaped buffer to be located alongside the route, it is proposed to attach a condition to any approval to require the submission of methodology and measures in relation to the upgrading / resurfacing of the canal towpath, if required , due to damage during construction work. This would enable any treatment of the towpath including materials to be fully explored.

The observations by the Canal and River Trust regarding the potential to create further access points to the canal towpath has been noted. Access in this instance needs to be considered and balanced with the need to provide security for the future occupiers of the site. There would be an additional access to the canal in the vicinity of the community hub and community park and with those that already exist from Ten Acres Lane and Mitchell Street, connectivity is considered to be acceptable.

Comments regarding management of swales are noted. A condition regarding landscaping is proposed which would require the submission of a maintenance scheme for the proposed landscaping. This condition would also enable further consideration to be given to the proposed planting parking courtyards to serve the proposed apartments in proximity to the canal corridor.

Structural integrity of the canal infrastructure

Construction work in close proximity to the canal has the potential to adversely affect its structural integrity. Concerns expressed by the Canal and River Trust are noted. However, due to the proposed houses and apartments being off set from the canal by over 13m, it is anticipated that this should ensure that the building works on the site would not have a direct impact on the structural integrity of the canal infrastructure or result in any loading of the canal washwall.

A condition; however, is proposed to safeguard the canal from debris. Furthermore , the proposed tree planting in the canal side buffer has been set back from the edge of the towpath. As part of the future discharge of the landscaping suitable measures to management root penetration and the canal will need to be considered.

Boundary treatment .

The detailed phase of development would incorporate low walls with railings above to form the boundary treatment to the back of pavement to dwellinghouses, with a 900mm low railing treatment to the curtilage of the proposed apartments, and to form the front curtilage of houses facing onto the canal towpath. Boundaries to rear gardens would comprise walls with timber infill panels above set between 1.8m brick piers adjacent to highways , with 1.8m close boarded fencing forming the overall approach to rear garden boundaries.

Community Engagement

A comment has been received about a lack of consultation. Information provided by the applicant has set out pre application engagement. This included advertising the public engagement process with ways to provide feedback; this was distributed to 3,756 properties closest to the site.

A press release was also issued to the Manchester Evening News and Place North West to advertise the consultation and provided details on how to get in touch with the project team and a Community Information Line was established to enable residents to speak with a member of the development team or to provide their feedback via phone. An email address was also available for residents to request more information, ask questions or provide feedback.

A dedicated website, www.jacksonsbrickworks.co.uk, was created and launched on 4th December 2020 to coincide with the distribution of the letter to the local community and promotions through social media . The website provided an overview of the proposals, the vision for the site, information related to highways and the environment and ways to get in touch with a member of the project team.

To engage with a wider audience, promotion of the proposals and public engagement process was also undertaken through social media platforms. The applicant has advised that during the consultation period, there were 3,946 visitors to the project website.

22 written responses were received during the public engagement process, the majority of which were via the feedback form available on the project website.

- 57% of respondents think there is a need for new, high quality homes in Newton Heath
- 65% of respondents think developers should maximise opportunities on brownfield land first
- Homes for first time buyers, affordable housing, and homes for older people were the property types respondents felt were most needed. No respondents felt large executive homes were appropriate for the area.
- An almost equal split thought the proposals would (48%) and would not (43%) contribute positively to the surrounding streets and spaces.

Further consultation with the community was undertaken in December 2021 in the form of a public exhibition of the plans was held at the Holiday Inn local to the site with members of the development team to answer any questions from local residents.

Consultation materials were also left on display at Newton Heath Library following the public exhibition event until Tuesday 4th January along with feedback forms and contact details.

A community information telephone line, email address and postal address were available throughout the consultation period for those wanting to correspond with a member of the development team.

Concerns were raised by the local community regarding the loss of green space/removal of trees, impact on local traffic, and access from Hallam Road.

Following the public consultation, changes were made to the masterplan. A further consultation was launched until the 6th of March to hear thoughts regarding these changes.

The amendments to the masterplan are in response to the comments received following the second round of consultation, with the principle changes relating to the vehicular access arrangements, primarily with regard to Mitchell Street and Hallam Road.

To take into consideration comments received, the amended scheme as of February 2022 proposed:

- A vehicular through route from Ten Acres Lane to Mitchell Street
- Restricted vehicular access from Hallam Road
- School drop off location

Local Labour and new jobs

The applicant has agreed to a local labour agreement, which will aim to maximise benefits to local residents. This will include monitoring measures. Although construction job numbers are not yet known, the school would provide around 90 new jobs.

A condition is recommended to cover this matter.

Other Matters

As part of the consultation regarding remediation, concerns were expressed about the retention of the rear access to existing properties and re-assurance was sought in respect of consideration to public rights of way.

Given the nature of the proposed remediation works, it was not deemed to be appropriate for health and safety requirement to enable access across the land to the rear of the properties on Morse Road.

The current application, however, accommodates access and shows a gated route to the rear of properties on Morse Road.

Concerns have also been expressed about the siting of a substation in proximity to a resident's property, and that there are no detailed plans relating to the proposed new school which would be close to their house. The substation referred to and the proposed school both lie within Phase 2 of the development. Plans for these aspects of the scheme would form part of a reserved matters application, however, the parameters plan indicate an acceptable relationship.

It has also been suggested that the substation be located on the Ten Acres Lane side of the site, next to the Ten Acres sports facility or the canal side to reduce potential disturbance. However, in order to meet energy demands at this site the scheme already includes the provision of a further substation in the northwest section of the proposed development .

Finally, the Canals and Rivers Trust has asked about a financial contribution to works to the canal towpath. There are significant complexities with developing this site, clearly set out in the report and viability is challenging. Where the applicant is able to enhance the setting of the canal and open up access, these opportunities are being accommodated and it is not feasible to seek or secure a financial contribution.

Conclusion

The proposed scheme offers an opportunity to bring forward a sustainable development of family housing, affordable homes a new school on a site long identified as meeting the needs of the city.

The scheme would incorporate public realm in the form of pocket parks, a community park, and landscaping along the canal towpath, together with improved access to the towpath for pedestrian and cyclists.

All issues have been set out in the report and addressed and this includes where necessary mitigation to ensure the schemes delivery.

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

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

Recommendation Minded to Approve subject to a legal agreement in respect of a reconciliation clause.

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the provision of electric charging points , highways matters, biodiversity , measures in relation to the canal towpath, and affordable housing, these matters has been satisfactorily resolved and the appropriate conditions have been attached.

Conditions to be attached to the decision

Full permission (Phase 1 of the development)

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) Phase 1 of the development hereby approved shall be carried out in accordance with the following drawings and documents:

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 ;

Jacksons Community Park GA Plan ref: 2490-PLA-00-00-DR-LA-0043 rev.P07 ;

Ten Acres Pocket Park Plan ref: 2490-PLA-00-00-DR-LA-0044 rev.P06 ;

Hallam Green GA plan ref: 2490-PLA-00-00-DR-LA-0065 rev.P02 ;

Phase 1 Boundary Treatments Plan ref: 2490-PLA-00-00-DR-LA-0050 rev.P08;

Phase 1 Hardworks Plan ref: 2490-PLA-00-00-DR-LA-0051 rev.P06;

Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (not withstanding the indicated ratio of native to non native planting;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Typical External layout of single dwellings Plan ref: 2490-PLA-00-00-DR-LA-0058 rev.P04;

Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04;

Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03;

Temporary Arrangement with Phase 1 implemented Plan ref: 2490-PLA-00-00-DR-LA-0061 rev.P03;

Tree Protection Plan Phase 1 plan ref: 2490-PLA-00-00-DR-LA-0062 rev.P01;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;

Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;

Phase 1 Site Layout ref: 32576 BW01 rev.F;

Adoption layout ref: 32576 BW 02 rev.C;

Parking Allocation Plan ref: 32576 BW 03 rev.C;

EV Charging Allocation layout plan ref: 32576 BW 04 rev.C;

Refuse Strategy Layout ref: 32576 BW05 rev.D,

Street Elevations Sheet 1 of 2 plan ref: 32576 A-P10-100 rev.P1;
 Street Elevations Sheet 2 of 2 plan ref: 32576 A-P10-101 rev.P1;
 GA Plans Apartment Block A plan ref: 32576 A-P11-001 rev.P2
 GA Plans Apartment Block B Ground and first floor plan ref: 32576 A-P11-002
 rev.P2;
 GA Plans Apartment Block B 2nd floor and roof plan ref: 32576 A-P11-003 rev.P2;
 GA Plans Apartment Block C plan ref: 32576 A-P11-004 rev.P2;
 GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010
 rev.P2;
 GA Plans Apartment Block D 2nd and 3rd floor plan ref: 32576 A-P11-0011 rev.P2;
 GA Plans Apartment Block D roof plan ref: 32576 A-P11-0012 rev.P1;
 GA elevations Apartment Block A plan ref: 32576 A-P13-001 rev.P2;
 GA elevations Apartment Block B plan ref: 32576 A-P13-002 rev.P2;
 GA elevations Apartment Block C plan ref: 32576 A-P13-003 rev.P2;
 GA Elevations Hub Building Block D plan ref: 32576 A-P13-004 rev.P3;
 House Type A Muse End (2B3P) plan ref: 32576 A-P19-001 rev.P5;
 House Type B End (2B3P) plan ref: 32576 A-P19-002 rev.P4;
 House Type C Mid (2B3P) plan ref: 32576 A-P19-003 rev.P4;
 House Type D End (2B4P) plan ref: 32576 A-P19-004 rev.P4;
 House Type E Mid (2B4P) plan ref: 32576 A-P19-005 rev.P4;
 House Type F End (3B4P) plan ref: 32576 A-P19-006 rev.P4;
 House Type G Mid (3B4P) plan ref: 32576 A-P19-006 rev.P4;
 House Type H End (3B4P) plan ref: 32576 A-P19-008 rev.P4;
 House Type I Corner Turner (3B5P) plan ref: 32576 A-P19-009 rev.P4;
 House Type J End (3B5P) plan ref: 32576 A-P19-010 rev.P4;
 House Type K Mid (3B5P) plan ref: 32576 A-P19-011 rev.P4;
 House Type L Mid (3B6P) plan ref: 32576 A-P19-012 rev.P4;
 House Type M Detached (4B6P) plan ref: 32576 A-P19-013 rev.P4;
 House Type N End (4B6P) plan ref: 32576 A-P19-014 rev.P4;
 House Type O End (4B8P) plan ref: 32576 A-P19-015 rev.P4;
 House Type P Mid (4B8P) plan ref: 32576 A-P19-016 rev.P4;

CGI Street Scene – View 01- The Avenue plan ref: 32576 A-P21-001 rev.P1;
 CGI Street Scene – View 02- Canalside plan ref: 32576 A-P21-002 rev.P1;
 CGI Street Scene – View 03- Corner Apartment plan ref: 32576 A-P21-003 rev.P1;
 CGI Street Scene – View 04- Mews plan ref: 32576 A-P21-004 rev.P1;
 CGI Street Scene – View 05- Hallam Green plan ref: 32576 A-P21-005 rev.P1;
 CGI Street Scene – View 06- Hallam Modal filter plan ref: 32576 A-P21-006;
 CGI Street Scene – View 07- Hub Building plan ref: 32576 A-P21-007 rev.P1 ;

Environmental Statement Volume 1 dated May 2022
 Environmental Statement Volume 2 Technical Appendices;
 Environmental Statement Volume 3: Non-Technical Summary
 Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;
 Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;
 Energy report revision F Document No. 23/080/R/01 F dated May 2022;
 Local Labour Statement ;
 Planning Statement;
 Statement of Community Involvement dated April 2022;
 Sustainability Strategy and Environmental Standards Statement;

Ventilation Report Document No. 23/080/VR/01 D dated April 2022;
 Financial Viability Appraisal April 2022;
 Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;
 Design and Access Statement dated 28th April 2022;
 Nesting Bird Survey April 2022
 Received 6th May 2022

GA Floor plan (Ground and First floor Community Hub) ref: A- P11-010 received
 18th May 2022
 Financial Viability report dated April 2022

Transport Assessment Addendum - Response to Highways Comments
 Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th
 September 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)) Development shall be carried out in accordance with the Phasing shown on plan
 ref: 2490-PLA-00-00-DR-U-0064 receive on 6th 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).

4) Prior to the commencement of Phase 1 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, which for the
 avoidance of doubt should include;

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate
 swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o 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;
- o The details of an emergency telephone contact number for the site contractor to be
 displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and
 commentary on the condition of carriageway/footways on construction vehicle routes
 surrounding the site.
- o Identify measures to reduce noise emissions;

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 (2012).

5) Prior to above ground works commencing in Phase 1 of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

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

6) Prior to the commencement of Phase 1 of the development a detailed construction environmental management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response 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 (2012).

7) Prior to the commencement of on-site remediation works, in Phase 1 of the development, the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site. The development shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what

groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

8) Prior to the commencement of on-site remediation works in Phase 1 of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site). The development shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

9) Prior to the commencement of on-site works in Phase 1 of the development, a Ground Stabilisation Works Plan shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned. Any changes to plan will require the written consent of the local planning authority. The plan shall be implemented as approved.

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

10) Prior to the commencement of Phase 1 of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

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

11) Prior to the commencement of Phase 1 of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

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

12) On completion of phase 1 of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

13) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected 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 in Phase 1 of the development. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

14) If, during the undertaking of site works in respect of Phase 1 of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified. Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with. The remediation strategy shall be implemented as approved

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

15) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 1 of the development 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 - For the future protection of the Water Environment from risks arising from land contamination and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

16) No development shall take place in Phase 1 of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

17) A wildflower meadow is to be implemented on site if construction works for the redevelopment of Phase 1 of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

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

18) No development in Phase 1 shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;

o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;

o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

19) No development in Phase 1 shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

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 pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

20) No development in Phase 1 hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

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

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

Reason- To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Manchester Core Strategy (2012)

21) Prior to any above ground works in Phase 1 of the development, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

22)The development in Phase 1 hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development hereby approved 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 secured by design accreditation for the development.

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

23) The car parking indicated on the approved plan ref: Parking Allocation Plan ref: 32576 BW 03 rev.C be surfaced, demarcated in accordance with the hard landscaping details on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and made available for use prior to the new dwellings hereby approved being occupied, and maintained in situ thereafter .The car parking shall then be available at all times in perpetuity.

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

24) Prior to above ground works commencing in Phase 1 of the development, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

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

25) Prior to the occupation of Phase 1 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

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

26) Prior to first occupation of Phase 1 of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Ten Acres Lane and Hallam Road, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

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

27) Before the development forming Phase 1 hereby approved is first occupied a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

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

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

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

28) The development in Phase 1 shall be implemented in accordance with the Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04. Detailed designs of all lighting columns, lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter.

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

29) If , when the lighting units in Phase 1 are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

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

30a) Before the Phase 1 residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, 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 that should be taken into account The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 1, a verification report shall 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 and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

31a) 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 residential use hereby approved in Phase 1, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level

of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the occupation of the residential dwellings in Phase 1, 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 UDP policy DC26.

32a) Before the residential development in Phase 1 commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) and shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

33a) Prior to commencement of the residential development in Phase 1, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

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

34a) Fumes, vapours and odours shall be extracted and discharged from the Community Hub (Class E, F1 and F2 uses) accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the uses commence.

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.

b) Prior to commencement of the community use and commercial premises hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

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

35) The hours of use of the Community Hub (Class E , F1 and F2 uses) are to be submitted to and agreed in writing by the City Council as Local Planning Authority, prior to the first occupation of the building for those uses. The development shall only be carried out in accordance with the approved hours of opening.

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

36) Deliveries, servicing and collections to the Community Hub (Class E , F1 and F2 uses) 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 - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

37a) The Community Hub (Class E , F1 and F2 uses) premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

b) Prior to occupation of the Community Hub (Class E , F1 and F2 uses) premises, 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 the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

38a) 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 Community Hub (Class E , F1 and F2 uses) premises the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the community /commercial premises commencing 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 UDP policy DC26.

39a) Before the Community Hub (Class E , F1 and F2) uses commence, 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.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

40a) Prior to commencement of the Community Hub premises, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

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

41) No remediation ground works in Phase 1 shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
- an archaeological evaluation through trial trenching after removal of vegetation

- dependent on the above, furthermore detailed archaeological excavation (subject to a separate WSI)
- a survey of the flagstone wall
- 2. A programme for post investigation assessment to include:
 - production of a final report(s) on the investigation results.
- 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
- 4. A scheme to disseminate the results of the investigations commensurate with their significance.
- 5. Provision for archive deposition of the report and records of the site investigation.
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- In accordance with NPPF Section 16, Paragraph 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 the impact, and to make this evidence (and any archive generated) publicly accessible.

42) Prior to the first occupation of the residential units hereby approved in Phase 1, finalised details of species for the landscaping scheme on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and notwithstanding the details on plan ref: Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (and on going management regime for the landscaping scheme Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06), shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development

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

43) Prior to any above ground works in phase 1 of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase , shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks) The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place

and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

44) In this condition "retained tree" means an existing tree, shrub or hedge which is shown as retained on the Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (notwithstanding the indicated ratio of native to non native planting; specified in condition no.2 and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

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

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

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

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

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

46) Prior to any above ground works in Phase 1 , the finalised details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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

47) The boundary treatment in Phase 1 shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site (or removed), other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

48) Prior to first occupation of Phase 1 of the development, a repaving strategy (including any mitigation measures and works) for the towpath to the Rochdale Canal from Ten Acres Lane to the Mitchell Street footpath connection, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

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

49) Before first occupation of the development thereby approved, the proposed bedroom window at first floor level on the rear elevation to the House Type A Muse End properties on plot nos. 40-46, as shown on plan ref: 32576 A-P19-001 rev.P5 shall be obscurely glazed to a height of 1.7m above the finished internal floor level to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent, and shall remain so in perpetuity.

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

50) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within the Phase 1 development hereby approved, other than those expressly authorised by this permission.

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

51) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the buildings within Phase 1 of the development hereby approved, shall be undertaken other than that expressly authorised by the granting of planning permission.

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

52) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses within Phase 1 of the development hereby approved, other than those shown on the approved drawings outlined in condition 2.

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

53) 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 exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

54) 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.

55) All highways within Phase 1 of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

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

56) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 1 of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit. Any approved mitigation shall be implemented prior to the first occupation of the residential units and thereafter retained and maintained .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

57) The ground floor community hub and community cafe at ground floor level in Block D, as indicated on drawing GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P2; as received by the City Council, as Local Planning Authority, on the 6th May 2022, shall be occupied as community hub and community cafe in the identified areas on the plan and for no other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, in the interest of residential amenity, pursuant policies SP1 and DM1 of the Manchester Core Strategy (2012).

59a) The Phase 1 development shall not commence until 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).

58) Before occupation of the residential units hereby approved, finalised design details of the street furniture to be sited in the locations shown on plan ref: Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03; shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

Reason - In the interests of visual amenity pursuant to policies , SP1 and DM1 of the Manchester Core Strategy (2012)

Outline planning permission

61) Applications for approval of reserved matters for Phase 2 of the development must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

62) Approval of the details of the access, (other than to Mitchell Street and the connection to Phase 1 of the development) scale, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

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

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

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

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 2 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0042 rev.P07 ;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;

Phase 2 Parameters – Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03;

Phase 2 Parameters – Heights plan ref: 2490-PLA-00-XX-DR-U-0035 rev.P03;

Phase 2 Parameters – Blue and Green Infrastructure plan ref: 2490-PLA-00-00-DR-U-0038 rev.P03;

Phase 2 Parameters – Access and Movement plan ref: 2490-PLA-00-00-DR-U-0039 rev.P03;

Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;

Environmental Statement Volume 1 dated May 2022

Environmental Statement Volume 2 Technical Appendices;

Environmental Statement Volume 3: Non-Technical Summary

Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;

Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;

Energy report revision F Document No. 23/080/R/01 F dated May 2022;

Local Labour Statement ;

Planning Statement;

Statement of Community Involvement dated April 2022;

Sustainability Strategy and Environmental Standards Statement;

Ventilation Report Document No. 23/080/VR/01 D dated April 2022;

Financial Viability Appraisal April 2022;

Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;

Design and Access Statement dated 28th April 2022;

Nesting Bird Survey April 2022

Received 6th May 2022

Financial Viability report dated April 2022

Transport Assessment Addendum - Response to Highways Comments

Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th September 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).

64) Development shall be carried out in accordance with the Phasing shown on plan ref: 2490-PLA-00-00-DR-U-0064 receive on 6th 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).

65) Prior to the commencement of Phase 2 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, which for the avoidance of doubt should include;

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;

- o 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;
 - o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
 - o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
 - o Identify measures to reduce noise emissions;
- 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 (2012).

66) Prior to above ground works commencing in Phase 2 of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

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

67) Prior to the commencement of Phase 2 of the development a detailed construction environmental management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response 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 (2012).

68) Prior to the commencement of on-site remediation works, in Phase 2 of the development, the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site. The development shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

69) Prior to the commencement of on-site remediation works in Phase 2 of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site). The development shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

70) Prior to the commencement of on-site works in Phase 2 of the development, a Ground Stabilisation Works Plan shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned. Any changes to plan will require the written consent of the local planning authority. The plan shall be implemented as approved.

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

71) Prior to the commencement of Phase 2 of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed

remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

72) Prior to the commencement of Phase 2 of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

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

73) On completion of phase 2 of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

74) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected 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 in Phase 2 of the development. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

75) If, during the undertaking of site works in respect of Phase 2 of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and

defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified.

Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with. The remediation strategy shall be implemented as approved

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

76) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 2 of the development 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 - For the future protection of the Water Environment from risks arising from land contamination and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

77) No development shall take place in Phase 2 of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

78) A wildflower meadow is to be implemented on the site comprising phase 2 if construction works for the redevelopment of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

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

79) No development in Phase 2 shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;
- o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

80) No development in Phase 2 shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

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 pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

81) No development in Phase 2 hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

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

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

Reason- To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Manchester Core Strategy (2012)

82) Prior to any above ground works in Phase 2 of the development, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

83) Phase 2 of the development hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development hereby approved 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 secured by design accreditation for the development.

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

84) Prior to the first occupation of the residential development within phase 2, the car parking layout shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the hotel element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

85) Prior to the first occupation of the school development within phase 2, the car parking layout and servicing arrangements shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the hotel element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

86) Prior to above ground works commencing in Phase 2 of the development, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

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

87) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

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

88) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the school hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

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

89) Prior to first occupation of Phase 2 of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Mitchell Street, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

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

90) Before the development forming Phase 2 hereby approved is first occupied a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

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

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

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

91) Prior to above ground works , a lighting strategy for the development in Phase 2 including detailed designs of all lighting columns , lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter.

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

92) If , when the lighting units in Phase 2 are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

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

93a) Before the Phase 2 residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, 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 that should be taken into account. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 2, a verification report shall 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 and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

94a) 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 residential use hereby approved in Phase 2, the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the occupation of the residential dwellings in Phase 2, 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 UDP policy DC26.

95a) Before the residential development in Phase 2 commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) and shall

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

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

96a) Prior to commencement of the residential development in Phase 2, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

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

97a) Fumes, vapours and odours shall be extracted and discharged from the school 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.

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

b) Prior to commencement of the school use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

98a) The school premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

b) Prior to occupation of the school 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 the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

99a) Before the development of the school hereby approved commences a scheme for acoustically insulating the proposed classrooms against noise shall be submitted to and approved in writing by the City Council as local planning authority. There may also be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the classrooms are occupied.

Noise survey data shall include measurements taken during a rush-hour/ noisy period to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the school, a verification report shall 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 pupils and teachers from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

100a) 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 school use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the school commencing 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 UDP policy DC26.

101) Prior to commencement of any sporting activities at the school hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority.

The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

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

102) Prior to the occupation of the school hereby approved, hours of use of the school shall be submitted to and approved in writing by the City Council as Local Planning Authority. The school shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

103) No activity on any school pitch/field/court facilities shall be permitted outside the hours of:
Mondays to Saturdays, 09:00 to 21:00hrs, Sundays and Bank Holidays , 10:00 to 20:00hrs.

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

104)a) Before the school development commences 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.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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 policies EN19 and DM1 of the Manchester Core Strategy (2012).

105) a) Prior to commencement of the school development, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be

implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

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

106) Prior to the installation of flood lighting of any sports pitches, hours of use of the flood lighting shall be submitted to and approved in writing by the City Council as Local Planning Authority. The flood lighting to the sports pitches/multi use games courts shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

107) Prior to the occupation of the school hereby approved, a community use agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the referenced sports facilities within the school development and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason - To secure well managed safe community access to sports facilities, to ensure benefit to the development of sport pursuant to policy EN10 of the Core Strategy.

108) Deliveries, servicing and collections to the school 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 - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

109) No remediation ground works in Phase 2 shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation through trial trenching after removal of vegetation
 - dependent on the above, further more detailed archaeological excavation (subject to a separate WSI)
 - a survey of the flagstone wall
2. A programme for post investigation assessment to include:
 - production of a final report(s) on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. A scheme to disseminate the results of the investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- In accordance with NPPF Section 16, Paragraph 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 the impact, and to make this evidence (and any archive generated) publicly accessible.

110) Prior to any above ground works in Phase 2, a hard and soft landscaping treatment scheme 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.

111) Prior to any above ground works in phase 2 of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase, shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks). The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

112) The development hereby approved in Phase 2 shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy(2012)

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

113) Prior to any above ground works in Phase 2, the details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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

114)The boundary treatment in Phase 2 shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site (or removed), other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

115) Prior to first occupation of Phase 2 of the development, a repaving strategy (including any mitigation measures and works) for the towpath to the Rochdale Canal from Ten Acres Lane to the Mitchell Street footpath connection , shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

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

116) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the buildings within Phase 2 of the development, shall be undertaken other than that expressly authorised by the granting of planning permission.

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

117) 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 exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

118) 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.

119) All highways within Phase 2 of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

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

120) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 2 of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit. Any approved mitigation shall be implemented prior to the first occupation of the residential units and thereafter retained and maintained .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

121) The Phase 2 development shall not commence until 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).

122) The drop off and pick up arrangement for pupils shall take place with the area identified for the school development as shown on Phase2 parameters – Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03 .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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 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 the waterways are protected and safeguarded.

2) The applicant is advised to contact the Canal & River Trusts Estate Management Team on 0303 040 4040 or email Matthew.Hart@canalrivertrust.org.uk directly to discuss the necessary consents/agreements required to form the towpath access points.

3) Model Procedures and good practice
Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:
It is recommended that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management

(LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination

- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

4) Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project
 - some naturally occurring clean material can be transferred directly between sites
- Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It is recommended that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

5) Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any

proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

6) Introduction of SUDS

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.

7) Given the proximity of the works to the canal, the works should also be carried out in accordance with the Trusts Code of Practice

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: 129197/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:

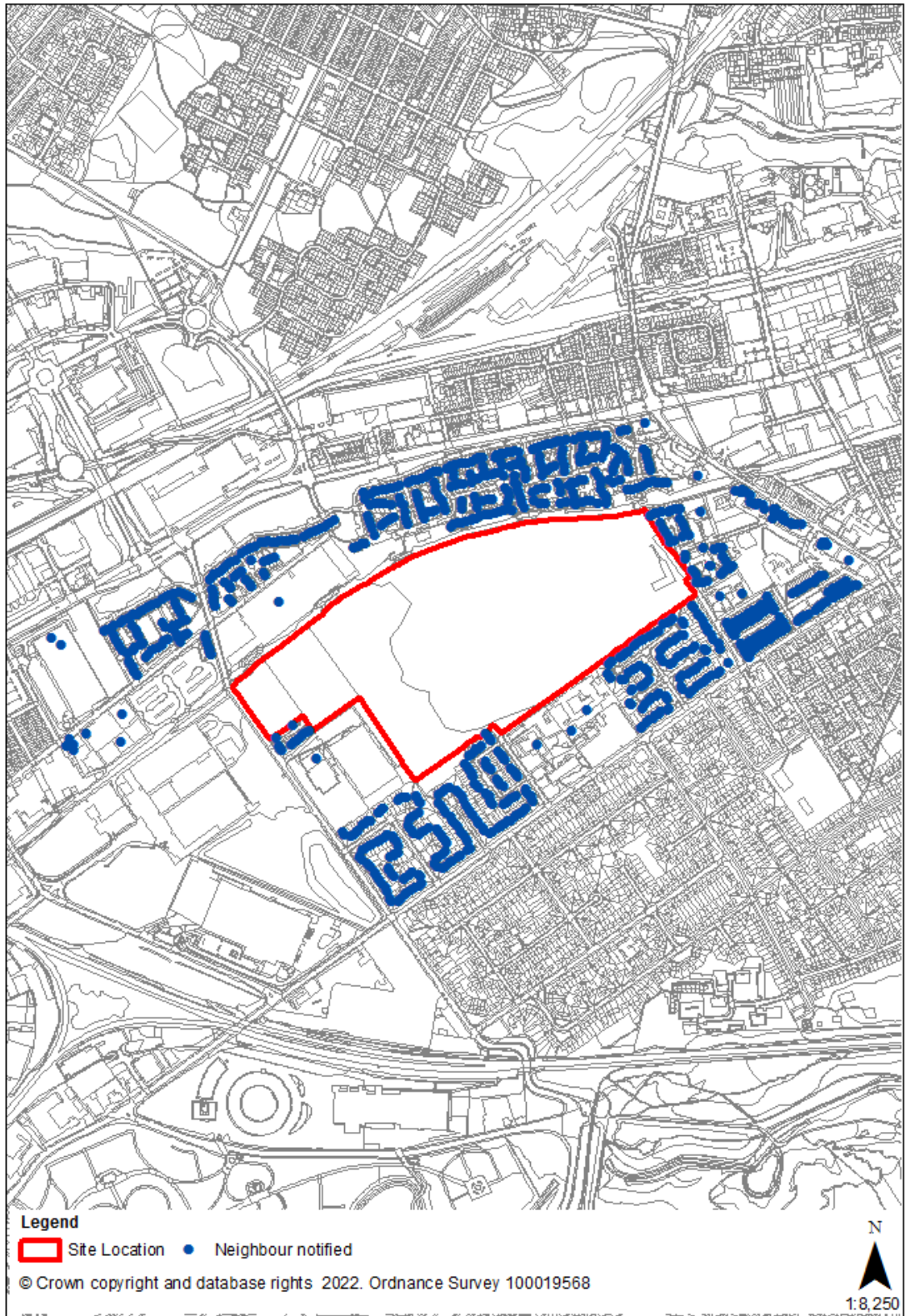
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Environment Agency
Canal & River Trust
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
Wildlife Trust
The Coal Authority
Peak & Northern Footpaths Society
The Ramblers Association
Greater Manchester Ecology Unit
Peak & Northern Footpaths Society
Wildlife Trust
Greater Manchester Pedestrians Society
The Ramblers Association
The Coal Authority
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Police

**United Utilities Water PLC
Canal & River Trust
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:

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



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Application Number	Date of Appln	Committee Date	Ward
134307/FO/2022	15 Jul 2022	22 Sep 2022	Piccadilly Ward

Proposal Erection of 2 Angel Square, a 14 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units at Upper Ground floor Level (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), and with a flexible office (Use Class Egi) and/or restaurant (Use Class Eb) space at Level 12, along with Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works;

Erection of 3 Angel Square, a 13 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units provided over Lower and Upper Ground Floor Levels (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), a further flexible commercial unit at Upper Ground Floor Level only allowing for ancillary seminar space and / or Sui Generis Use Class (t) Cinema space, together with an ancillary gym space at Upper Ground Floor, as well as Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works.

Location Land Bounded By Angel Street, Miller Street And Angel Square Known As Plots M And N, Manchester

Applicant NOMA (GP) Ltd, C/o Agent

Agent Miss Jennifer Chatfield, Deloitte LLP, The Hanover Building, Corporation Street, Manchester, M4 4AH

EXECUTIVE SUMMARY

The proposal would create 44,525 sqm of Grade A office space in two building of 13 and 14 storeys, with significant areas of public realm as part of NOMA.

There has been one neutral comment and four objections.

Key Issues

Principle of the proposal and the schemes contribution to regeneration The development is in accordance with national and local planning policies, and would deliver significant economic, social and environmental benefits. This is a previously developed brownfield site used for parking, located in a highly sustainable location close to public transport and walking and cycling routes. It accords with NOMA Strategic Regeneration Framework and Masterplan. The offices would be Grade A with high levels of sustainability, being low carbon with measures to manage surface water drainage and improve biodiversity.

Economic There is continuing growing demand for high quality office space which is crucial for economic growth and a successful and thriving economy. There would be

a significant contribution to highway, pedestrian and cycle improvements. 400 construction jobs would be created together with 4400 permanent jobs when the offices become operational.

Social A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. Public realm with linkages and green spaces would benefit residents and visitors.

Environmental This would be a low carbon development in a highly sustainable location. The development should achieve BREEAM Excellent, NABERS 5 star rating and be low carbon with all electric systems. The development would have parking spaces fitted with electric charging points and 6 accessible parking spaces. The travel plan would encourage residents to walk, cycle and use public transport. The public realm, green spaces and linkages would create an attractive place. The trees and planting would improve biodiversity and create wildlife habitats. Surface water risks would be managed through green and blue infrastructure such as rain gardens which would attenuate the water at source. The site is contaminated but the conditions are not unusual and do not present a risk to human health or the environment on the basis of an appropriate remediation strategy

The height, scale and appearance would contribute positively to the area and the development would be safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

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

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

A full report is attached below for Members consideration.

Description

The site is 0.83 hectares and comprises Plots M and N of the NOMA strategic Regeneration Framework 2020. The site is bounded by Rochdale Road/Angel Street and Miller Street. To the east is Angel Mews which provides a north/south pedestrian link and public spaces between the site and Angel Gardens. 1 Angel Square, is to the west beyond Angel Square. The site comprises hardstanding and has been used as surface car parking and includes some trees and shrubs. A temporary marketing suite occupies the southern part of the site on Miller Street.

There are significant level changes across the site with the lowest part of the being in the west corner, rising to the north and east towards Angel Street. The difference is

around a storey in height. The site is accessed from Angel Street to the north and from the south off Angel Mews off Miller Street.

The site is part of NOMA which comprises of large cleared sites and historic offices and warehouses, six of which are Grade II listed. The re-use and repurposing of the historic estate has been an integral part of the regeneration strategy for NOMA.

This strategy is underpinned by a Strategic Regeneration Framework adopted in 2009 and updated in 2010, 2013, 2015 and most recently in 2020 and seeks to create a commercially led, mixed use destination covering an area of approximately 20 acres. To date, 807,000 sq ft of office space has been delivered (457,000 sq ft in the historic estate), with a further 836,000 sq ft on site or in the planning process.

The site is surrounded by a variety of uses and buildings including 1 Angel Square, with homes, public realm and landscaping at Sadler's yard and Angel Meadows.

Planning permission was granted in 2019 at 4 Angel Square for an 11 storey office building which is under construction (123437/FO/2019). The site is close to Manchester Victoria Station and Shudehill interchange.

Planning permission has also previously been granted at the application site for the offices. The most recent permission was granted in 2020 for the erection of an 11 storey building and a 12 storey building to form 39,184 sqm of office accommodation and ancillary commercial spaces (124973/FO/2019). This planning permission remains extant until February 2023.

There is also an earlier planning permission granted on 2015 for a part 10, part 11 and part 12, part 13 storey buildings to form offices and ancillary commercial spaces (109865/FO/2015/N1). This planning permission was never implemented and has now expired.

There are no listed buildings on site and it is not within a conservation area. However, there are listed building in close proximity and the Smithfield and Shudehill conservation areas are nearby.

The Proposal

The application proposes a 44,525 sq m Grade A offices in two buildings. There would be 1663 sqm of commercial space (Class E and Sui Generis) including potential for a level 12 restaurant. The development would be highly sustainable and achieve BREEAM "Excellent", NABERS 5 Star, FITWEL and Smart Tech enabled and have an A EPC rating.

2 Angel Square would be 14 storeys, and front Miller Street, whilst 3 Angel Square would be 13 storeys and front Angel Street. The lower ground floors would include entrances lobbys and car and cycle parking with changing facilities and plant. 2 Angel Square would include two commercial units with external seating area. 3 Angel Square would include a gym and two commercial units and external seating with flexible office space and/or Cinema (Sui Generis).



Layout of the site

The design of the buildings would complement one another whilst having their own distinct identity. 2 Angel Square would have red terracotta tiles and number 3 Angel Square blue. Their base would be Yorkstone. 30 parking spaces and 270 cycle spaces would be created in the two buildings with changing and shower facilities.

The landscaping would be integrated into NOMA and with wider improvement works being the subject of a separate application. The level changes would be dealt with through steps, terraces and pocket gardens with trees, planting and water features. The space would be accessible through an external lift from the lower ground floor level to the upper ground floor level plinth.

5.11 Visuals



Visualisation of the development

The Planning Submission

This application is supported by the following information:

- Design and Access statement;
- Landscape Design and Access statement;
- Statement of Consultation;
- Heritage and Visual Impact Assessment;
- Environmental Standards Statement;
- Energy Statement;
- BREEAM Pre-Assessment;
- Noise and Vibration Assessment;
- Ground Engineering Desk Study Report;
- Archaeological Desk Based Assessment (August 2019);
- Archaeological Excavation Report (October 2021);
- Aviation Safety Assessment;
- Underground Utilities Map;
- Television Baseline Survey;
- Ecological Survey and Assessment;
- Arboricultural Impact Assessment;
- Local Labour Agreement;
- Crime Impact Statement;
- Ventilation Strategy;
- Servicing and Waste Management Strategy;

- Flood Risk Assessment;
- Drainage Strategy;
- Operational Management Strategy;
- Transport Statement;
- Framework Travel Plan;
- Air Quality Assessment;
- Outline Construction Management Plan.

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

- Construction Methodology and Phasing;
- Sunlight and Daylight Assessment;
- Wind Microclimate Assessment;
- Cumulative Effects.

Consultations

The proposal has been advertised as a major development, EIA Development, of public interest and affecting the setting of a conservation area and a listed buildings. Site notices were displayed. Notification letters were sent to residents and businesses and the following representations have been received.

A neutral comment is in favour but can't understand why developers need to build on all the site. A large basement should be provided for both plots and only building on the north side of plot 2 with a 29 storey tower. On the rest of the site a park could be created. Green space is required in the city centre given the amount of people and families moving in.

Four objections can be summarised as follows:

- The development would compromise privacy and look into flats on Simpson Street;
- Unclear why there are plans to building more offices where there are already numerous office sites across Manchester that lie empty. The site should continue to operate as a car park or green space (which are in short supply);
- The design of the buildings are of poor architectural merit and uncomfortably impacts upon 1 Angel Square, Angel Gardens, The Linx Building and Grade II Listed CIS Buildings;
- The height of the buildings has increased significantly since their original conception and are now 14 storeys directly overlooking 6 storey apartments;
- It is not clear how loss of light would be dealt with on adjacent accommodation;
- The amount of public realm has been severely compromised and represents disjointed verges and scant tree planting;
- There is not a satisfactory construction management plan in place. All deliveries must be to Miller Street with no construction traffic through Angel Street. Angel Street is residential and construction vehicles using this road are a nuisance. Miller Street is commercial and therefore more suitable for construction traffic;

- The working hours must be 08:30 to 18:00 Monday to Friday. Residents in the area work from home;
- There are no S106 payments. There should be a contribution to Angel Meadow and Urban tree planting;
- Historical applications have been made on this site and each time the developer has allowed the timescale to expire and then submit a further application for more height;
- The building heights do not fit into the area and are higher than other building heights;
- Concern that commercial units at the development would remain vacant as others are in the area;
- The area is a busy thoroughfare for cars and pedestrians and this development would generate noise and traffic.

Highway Services Traffic movements could be absorbed in the network. A construction management plan is required and The travel plan framework should be developed into a full travel plan when the development is occupied. A servicing plan should be agreed.

Environmental Health the waste management strategy is acceptable. The operating hours for the ground floor commercial uses should be agreed and details of fume extraction and acoustic insulation. Details of plant should be agreed by condition. Deliveries should be restricted to 07:30 to 20:00 Monday to Saturday and 10:00 to 18:00 on Sundays. Details of the lighting should be agreed. The measures in the air quality report should be implemented. Further ground conditions details are required.

Flood Risk Management details of a surface water drainage scheme and a management regime and verification report are required.

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

Environment Agency ground investigations are required to ensure no pollution of ground water and details of piling.

Greater Manchester Archaeological Advisory Service (GMAAS) the site lies immediately to the west of the site of Manchester first steam powered cotton mill and the site forms part of the former reservoir of the mill. There has been previous archaeological excavation but were not of sufficient depth to identify the remains. A condition is required to require further archaeological investigations.

Aerodrome Safeguarding at Manchester Airport have no objections subject to an informative in relation to cranes.

Historic England have no comments.

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:

Strategic Spatial Objectives

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

S01. Spatial Principles this is a highly accessible location and development here would reduce the need to travel by private car and support the sustainable development of the City and help to halt climate change.

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

S05. Transport The development would be highly accessible, reduce the need to travel by private car and make use public transport effectively. Sustainable transport networks would improve physical connectivity and enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

S06. Environment The development would seek to protect and enhance the natural and built environment and ensure the sustainable use of natural resources to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; and, ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP 1 (Spatial Principles) - The proposal would have a positive impact on visual amenity and the character of the area in a strategic regeneration area. The buildings would be high quality and complement existing and recent developments.

Policy EC1 (Land for Employment and Economic Development) – The proposal would develop a highly accessible site in a key location for employment growth. It would help to spread the benefits of growth across the City and thereby help to reduce economic, environmental and social disparities and help to create an inclusive sustainable community. The site is well connected to transport infrastructure and would encourage walking, cycling and public transport use.

The City Centre is a key location for major employment growth and the proposal would create jobs during construction and in operation. The design would use the site efficiently and enhance the sense of place in the wider area. It would provide users and employees with access to a range of transport modes and create a safer place by reducing opportunities for crime.

Policy EC3 (The Regional Centre) – The development would be in an appropriate location with excellent sustainable transport facilities nearby. The scale and type of development would not undermine delivery of employment space elsewhere.

Policy CC1 (Primary Economic Development Focus (City Centre and Fringe)) – This would be a high quality development providing offices in a part of the City Centre identified in Policy CC1 as a focus for primary economic development.

Policy CC5 (Transport) - The proposal would contribute to improving air quality by being accessible by a variety of modes of sustainable transport.

Policy CC6 (City Centre High Density Development) - The proposals would be a high density development and maximise the efficient use of land available within the challenging constraints of the site.

Policy CC7 (Mixed Use Development) – The proposal would create an active ground floor with the potential for class E uses.

Policy CC8 (Change and Renewal) – Jobs would be created during construction.

Policy CC9 (Design and Heritage) - The design would be high quality. Its impact on the settings of nearby listed buildings and conservation areas is discussed in more detail in the report.

Policy CC10 (A Place for Everyone) – The proposals would complement the ongoing wider regeneration of NOMA and would be fully accessible.

Policy T1 (Sustainable Transport) – The proposal would encourage modal shift away from car travel to more sustainable alternatives and include improvements to pedestrian routes and the pedestrian environment which would prioritise pedestrian and disabled people, cyclists and public transport.

Policy T2 (Accessible Areas of Opportunity and Need) – The proposal would be accessible by a variety of sustainable transport modes and would help to connect residents to jobs, local facilities and open space.

Policy EN1 (Design Principles and Strategic Character Areas) - The high quality design would enhance the character of the adjacent conservation area and the image of Manchester. The design responds positively at street level and would enhance permeability. The positive aspects of the design are discussed in more detail below.

Policy (EN3 Heritage) – The impact on the settings of the nearby listed buildings and conservation areas is discussed in more detail later in the report.

Policy EN6 The development would comply with the target framework for CO2 reductions from low or zero carbon energy supplies. An Energy Statement sets out how it would comply with this policy.

Policy EN8 (Adaptation to Climate Change) – A BREEAM Assessment and Sustainability Report, identifies measures that will ensure that the development would reach a target rating of “Excellent”.

Policy EN15 (Biodiversity and Geological Conservation) – The site is not high quality in ecology terms and biodiversity enhancements are proposed.

Policy EN16 (Air Quality) - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and minimise emissions from traffic generated by the development. The proposal would not compromise air quality. Car parking levels would be low, cycling is encouraged and electric car charging provided. Dust suppressions measures will be used during construction.

Policy EN17 (Water Quality) – An assessment of the site’s ground and groundwater conditions shows the proposal would be unlikely to cause contamination to surface watercourses and the impact on water quality can be controlled by a condition.

Policy EN18 (Contaminated Land and Ground Stability) - A desk study identifies possible risks arising from ground contamination and, as under Policy EN17 above, the impact could be controlled through a condition.

Policy EN19 (Waste) - The development would be consistent with the principles of waste hierarchy. A Waste Management Strategy sets out how waste production would be minimised during construction and operation. The onsite management team will ensure the various waste streams are appropriately managed.

Policy DM1 (Development Management) – Careful consideration has been given to the design, scale and layout of the building along with associated impacts on amenity.

These issues are considered full, later in this report.

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

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

Saved Policy DC18.1 Conservation Areas – The proposal would maintain the character and appearance of the adjacent conservation area. This is discussed in more detail later in the report.

Saved Policy DC19.1 Listed Buildings – The proposal would have an impact on the settings of the nearby listed buildings. This is discussed in more detail later in the report.

Saved Policy DC20 Archaeology – An archaeological desk based assessment concludes that the development would not have an impact on any significant remains.

Saved Policy DC26.1 and DC26.5 Development and Noise – The application is supported by acoustic assessments and it is considered that the proposal 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. The IIR significant road route in the City. This proposal provides a building of the highest quality design which will provide new homes for this part of the City.

Other material policy considerations

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

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

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

specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

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

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

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

Manchester Green and Blue Infrastructure Strategy 2015

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

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

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with 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.

NOMA regeneration framework (2020)

This regeneration framework covers the 20 acres of land surrounding the Cooperative headquarters. This considered in detail how the Cooperative group, together with the City Council, could achieve a new high quality City Centre district together with other long term strategies for the area.

The application site is located within the 'major office zone' where it is anticipated to offer large office floorplates which are limited in the city centre. This area can also take advantage of the proximity to the major transport hubs of Victoria and Shudehill.

The creation of a Grade A office cluster characterised by large floorplates (15,000+ sq ft) and high quality specification will be encouraged. With access to new public realm and existing parkland areas, supported by a new utilities network wholly powered by green energy, connected to a range of transportation and access options, while also linked to the core of the City Centre and the dynamic refurbished Listed Estate, this area will offer a unique combination of attractions. The Major Office Zone will therefore provide a new option into the Manchester and UK market, with a combination of assets and attractions not delivered anywhere else in the city.

Lower Irk Valley – Neighbourhood Development Framework (January 2016)

The development framework has been prepared in order to help guide future development in the areas as part of establishing new development and supporting public realm, highways and other infrastructure as part of a residential led neighbourhood.

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

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"*.

Manchester Strategy (January 2016)

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

National Planning Policy Framework (2021)

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

Section 6 'Building a Strong, 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 (para 81).

The proposal would bring 44, 525 sqm of grade A office space to the site and create up to 4000 new permanent jobs.

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

The proposal would be safe and secure. Cycle parking is provided along with disabled car parking only. New public realm and green infrastructure would be provided. 100 car parking spaces would be removed from the site reducing the number of trips on the highway network and on local air quality conditions.

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

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 110).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

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

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

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

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 119).

Planning decisions should: encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 120)

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic

sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 123)

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 124).

The proposal would re-use a brownfield site currently used for temporary surface car parking. The scale and density of the proposal is considered to be acceptable and represents an efficient use of land. The commercial and office spaces would meet known regeneration requirements in the area. The site is close to sustainable transport infrastructure. A travel plan would encourage the use of public transport, walking and cycle routes to the site.

This would have a limited amount of car parking including disabled parking, reducing car journeys from the site.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process' (paragraph 126).

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

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

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

The design would be highly quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon. Biodiversity, green infrastructure and water management measures are included within the public realm.

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

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

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

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

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by

protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

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

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

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

Paragraph 186 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during construction. There would be a removal of 192 car parking spaces at the site together with a travel plan and access to public transport encouraging alternative travel choices.

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

In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new

development making a positive contribution to local character and distinctiveness. (Paragraph 197)

In considering the impacts of proposals, paragraph 199 states that the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).

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

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

Planning Policy Guidance (PPG)

The relevant sections of the PPG are as follows:

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

Examples of mitigation include:

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

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

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

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

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

Design states that where appropriate the following should be considered:

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

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

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

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

Heritage states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.”

Public benefits may also include heritage benefits, such as:

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

Other legislative requirements

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

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

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

- Construction Methodology and Phasing;
- Sunlight and Daylight Assessment;
- Wind Microclimate Assessment;
- Cumulative Effects.

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

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

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

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

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

Conservation Area Designations

Shudehill Conservation Area Declaration

The Shudehill conservation area is bounded by Hanover Street, Riga Street, Mayes Street, Shudehill, Withy Grove and Corporation Street. It also includes a building on the north side of Hanover Street, fronting Corporation Street.

The west side of the conservation area is composed of large buildings constructed during the 20th century. These line the east side of Corporation Street and turn the corner up Withy Grove. The older, smaller scale properties which survive today are situated to the east side of the conservation area.

The small-scale commercial premises on Shudehill and Withy Grove date from the 18th century. The conservation area is dominated by the buildings associated with the Cooperative estate. The main building, built between 1905 and 1906 lies on Corporation Street between Balloon Street and Hanover Street. There are other

buildings in the vicinity which display the development of commercial architecture through the 20th century. The CIS building is immediately outside but adjacent to the conservation area.

Smithfield Conservation Area Declaration

Historically, the predominant building type was food markets. Few of these are still standing, and those that are have been converted to other uses. Principal amongst them is the retail fish market, which is now the craft village. This building, significant among indoor markets, was an extension to the original retail fish market constructed during the 1890s.

The Smithfield Market Hall on Swan Street is a two-storey stone building dated 1858. The detail around the main entrances takes its inspiration from the architecture of classical Greece, and each principal semi-circular arch has a bull's head carving on the central large key block. Originally a meat market, it soon became a vegetable market, and in recent years has been a training workshop for the Greater Manchester Youth Association.

No. 29 Swan Street is a Ruskinian Gothic-style building in orange-red brick with stone dressings. It has coloured bricks in the arches over the windows, with projecting stone hood-moulds, and also an overhanging oriel window at first floor level. Some of the stonework is richly carved in a leaf pattern, which forms both horizontal cornice banding and decorating near the windows.

Issues

Principle of the redevelopment of the site and contribution to regeneration

Regeneration is an important planning consideration. The NOMA Strategic Regeneration Framework and masterplan seeks to create a commercially-led, mixed use destination. Significant progress has been made in delivering this vision with around 6,000 people working there, historic buildings have been brought back into active use, investment in public realm has included the creation of Angel Square and Sadler's Yard and other social and economic value objectives delivered.

The site is identified in the masterplan as being suitable for a large floorplates office scheme to continue economic growth in this area. This is essential to ensure that the city centre remains competitive and investment in Manchester continues.

The City Centre is the primary economic driver in the City Region and the City Centre must continue to provide office space that meets occupier requirements. Section 6 of the NPPF states that '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.

There is an acknowledged shortage of good quality office accommodation in the Regional Centre and demand has remained strong post pandemic. As occupational demand grows, good quality products must be brought forward in sustainable locations such as this.

The proposal would continue the regeneration of NOMA and support economic growth, by delivering 44,525 sqm of Grade A office accommodation, creating jobs, active ground floor uses and public realm. The site is in close to Victoria station and Shudehill interchange which makes it ideal for office use. Many amenities are nearby.

The proposal would create in the region of 4,400 permanent jobs in a range of skills, and 400 jobs during the construction period. There would be opportunities for local people to access employment, agreed by a local labour agreement. The investment made in delivering this next phase of the NOMA masterplan would continue the success, economic growth and job creation in this part of the city centre.

The design would be of the highest quality, energy efficient and provide further investment in the public realm which would enhance pedestrian connectivity to the city centre and around the northern gateway.

The development would therefore be consistent with the City Centre Strategic Plan and would complement and build upon the City Council's current and planned regeneration initiatives and as such would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies SP1, EC1, CC1, CC6, CC7, CC8, CC9, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

Phasing

In the event 2 and 3 Angel Square do not come forward together, a phasing plan for the delivery of the development and public realm would be required. 2 Angel Square is likely to be delivered first which would require temporary public realm including landscaping and boundary treatment.

Climate change, sustainability and energy efficiency

An energy and environmental standards statement demonstrates that the energy hierarchy has been applied and that low and zero carbon technologies would be used and would comply with part L (2010). A BREEAM pre-assessment demonstrates that the proposal can achieve an 'Excellent' rating. In addition, it has the potential to deliver 42.9% and 44.8% CO₂ reduction against Part L 2013 for 2 and 3 Angel Square respectively. This is well in excess of the requirement of policy EN6, which seeks a 15% reduction on Part L (2010) (or 9% over Part L (2013)) of the Building Regulations. The proposal would also achieve a NABERS UK 5 star rating and EPC A rating.

Low and zero carbon technologies would be used to minimise water and energy demand. PV panels would be installed to the roof along with air source heat pumps. The use of public transport would be maximised through travel planning and cycle provision and landscaping would include biodiversity measures such as bird and bat boxes. Sustainable drainage would be used to manage surface water.

The overall energy performance would be satisfactory with an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development

complies with the spirit of the Core Strategy with high quality building fabric and systems. The energy standards should be a condition of any approval.

Impact of the historic environment and cultural heritage

The site is not in a conservation area and does not contain any listed buildings. It is close to the boundaries of the Smithfield and Shudehill conservation areas and the following listed buildings: Parkers Hotel (Grade II), Ashton House (Grade II), New Century House (Grade II), former Co-op bank building (Grade II), CIS building (Grade II), Hanover building (Grade II) and City Buildings (Grade II).

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

A heritage assessment has considered the impact of the proposal on the historic environment as required the NPPF. The impact on the setting of the heritage assets and on key views has been assessed to allow the impact of the proposal to be understood and evaluated. The affected listed buildings and conservation areas form part of the wider character and view of the site and have been considered in detail.

The heritage assets have been considered within 6 key views and the impacts on each can be summarised as follows:

View 1 junction of Corporation Street and Miller Street looks south along Miller Street towards the junction with Shudehill. The view is framed by the 25 storey CIS tower (Grade II) and New Century House (Grade II) and 4 Angel Square (under construction). In the middle is the 34 storey Angel Meadow tower.



Viewpoint 1 junction of Corporation Street and Miller Street (existing)

3 Angel Square would be visible emerging from behind 4 Angel Square and would help to define the street edge along Miller Street. 2 Angel Square would only be experience when travelling along Miller Street alongside other NOMA developments. The development would change the view and the setting of the CIS tower and New Century House but the effect would be minor and would remove a vacant site from within their setting.



Viewpoint 1 junction of Corporation Street and Miller Street (proposed)

View 2 southern side of Angel Meadows looking south-east highlights the urban context of the site and the modern development visible. There is a glimpsed view of the top of the CIS tower which can be seen above 1 Angel Square. The view is not considered a sensitive view in which to appreciate the heritage environment.



Viewpoint 2 southern side of Angel Meadows looking south-east (existing)

The proposal would be visible above the residential buildings and result in visual change to the CIS building causing a minor degree of harm to its setting. This is, not considered to be a important view within which to appreciate the heritage asset.



Viewpoint 2 southern side of Angel Meadows looking south-east (proposed)

View 3 is located along Rochdale Road at its junction with Bendix Street. It is dominated by the Angel Gardens development at the junction of Rochdale Road and Miller Street. The Particular Baptist Chapel (non designated heritage asset) is prominent and the CIS tower and New Century Hall can be seen rising above it.



Viewpoint 3 Rochdale Road, at its junction with Bendix Street (existing)

The upper floors of 2 Angel Square and the southern elevation of 3 Angel Square would be visible. The development would be absorbed into view and become obscured by other existing development. There would be a partial obscuring of the CIS tower but it would remain visible and appreciated.



Viewpoint 3 Rochdale Road, at its junction with Bendix Street (proposed)

View 4 is at the corner of Swan Street and Oak Street, looking north along Swan Street with the site in the distance. The view is fragmented with the left hand side of the road defined by older later Victorian buildings in the Smithfield conservation area with the right hand side characterised by more recent development, in poor condition, or vacant sites. 29 Swan Street and Smithfield Market Hall are Grade II listed buildings are evident. Angel Gardens provides a strong vertical building when viewed against the lower buildings in the conservation area.



Viewpoint 4 corner of Swan Street (right) and Oak Street (left), looking north along Swan Street (existing)

The proposal would be visible and would help re-define the street edge on the right hand side of the views. Angel Gardens would remain the tallest element. The removal of the vacant site would provide an appropriate setting of the conservation area and listed buildings.



Viewpoint 4 corner of Swan Street (right) and Oak Street (left), looking north along Swan Street (proposed)

View 5 from Miller Street, at the junction with Shudehill, is characterised by construction works. The CIS tower is screened by the mature tree canopy although the podium level is partially visible at the base of the trees.



Viewpoint 5 Miller Street, to the west of its junction with Shudehill (existing)

Viewpoint 5 represents the magnitude of change as proposal providing a new boundary to the street scape. 3 Angel Square would be highly visible and help to enclose the street scape and the setting of the CIS tower



Viewpoint 5 Miller Street, to the west of its junction with Shudehill (proposed)

View 6 looks north along Great Ancoats Street just south of its junction with Lever Street to the left. The Daily Express Building (Grade II*) provides a robust boundary to the street edge. Late Victorian buildings are on the left hand side of the view along with more modern developments. The highway infrastructure of Great Ancoats Street dominates the view. The Grade II Midland Bank building and the Grade II Crown and Kettle Public House are visible.



Viewpoint 6 looking north long Great Ancoats Street (existing)

The proposal is only partially glimpsed beyond Angel Gardens and would not impact on the heritage assets in the view.



Viewpoint 6 looking north long Great Ancoats Street (proposed)

This would be a major development adjacent to a number of heritage assets and would change their setting. The assets remain legible and understood in most instances and their significance not harmed as a whole. The proposal would remove a long-standing vacant site. This change amounts to a very low level of less than substantial harm, as defined by paragraph 196 of the NPPF, to the setting and significance of the CIS tower and New Century Hall (both Grade II).

Paragraph 193 of the NPPF states that it is necessary to assess whether the impact of the development suitably conserves the significance of the heritage assets, with great weight being given to the asset's conservation (and the more important the asset, the greater the weight should be).

The proposal would contribute positively to the significance and character of the listed buildings through the removal of the vacant site and the introduction of two high quality office developments and associated public realm.

The proposal would result in a very low level of less than substantial harm as defined by paragraph 196 of the NPPF, to the setting and significance of the listed buildings. As directed by paragraph 196 of the NPPF, it is now necessary to consider whether the public benefits would outweigh any harm. The public benefits are considered in detail below.

Impact Assessment

The proposal would result in some instances of low level harm to nearby listed buildings, particularly the CIS tower and New Century Hall but the impacts would result in less than substantial harm and at the lower end of the scale. Any 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 deliver substantial public benefits which outweigh any minor harm to the setting of listed buildings. This is considered in detail below.

Many buildings in the NOMA estate have been restored and re-used. In total, ten buildings have been restored, six of which were listed. In acknowledgment of the history of the site, a full archaeological record would be made of the site and information boards and references made within the public realm to the previous industrial use at the site.

There would be a minor degree of harm to the surrounding listed buildings as a result of the introduction of a tall building at this site. The proposal would regenerate this partially vacant brownfield site in NOMA where change and development is expected to take place. The creation of high quality office accommodation would support economic growth and allow access to employment opportunities. The vacant buildings and car parking have a neutral impact on the setting and character of nearby listed buildings.

This proposal would comprehensively develop the site and provide a development to the main street frontages and would activate new areas of public realm as required in NOMA. Large floorplate, grade A office accommodation is in demand in the City in close proximity to excellent public transport links.

The scale and appearance of the development would be appropriate and would complement surrounding development and respect the setting of 1 Angel Square and nearby listed buildings, which remain clearly legible. It would be high quality and add positively to and complement the range of architectural styles found in the NOMA estate. The building would be a well detailed grid with deep window reveals and large amounts of glazing.

Over 44,525 sqm of Grade A office floor space would be created and the large floor plates would attract a variety of users. The floor plates would be flexible and can be adapted and subdivided. A flexible space on the ground floor could be available to start-up businesses. The proposal would create in the region of 4000 permanent jobs in a range of skills, and 400 jobs during construction. There would be opportunities for local people to access construction jobs, secured by a local labour agreement.

The proposal would be energy efficient and provide further investment in the public realm and enhance pedestrian routes, improving connectivity to the city centre and Victoria North.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, and the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 202 of the NPPF.

Impact on Archaeology

An archaeology assessment indicates that there are below ground archaeological remains associated with Manchester's first steam powered cotton mill together with the former reservoir of the mill. The site has been subject to previous archaeological excavation but further works would be required as part of this development.

GMAAS concurs with the conclusions drawn from the desk-based assessments and recommends that the site is subject to intrusive archaeological investigation in advance of development taking place in line with the written scheme of investigation. This should be a condition of any approval and would satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

Visual Amenity

Two distinct buildings are proposed separated by public realm. Site levels require each to have a lower and upper ground floor.

The lower ground floor for 2 Angel Square would comprise the office entrance lobby, car and cycle parking with changing facilities, plant and ancillary functions.

The lower ground floor for 3 Angel Square would provide the entrance lobby and two commercial units facing Angel Square with external seating. Cycle and car parking would be included with changing facilities and plant.



Lower ground floor of 2 and 3 Angel Square

The upper ground floor of 2 Angel Square would include office accommodation and two commercial unit with an external seating area on a plinth level whilst the upper ground floor would include a gym and two flexible commercial units and flexible office or cinema space.



Upper ground floor of 2 and 3 Angel Square

The main entrances to each building would be directly off Angel Square facing the entrance to 1 Angel Square providing a strong sense of arrival. The commercial units would provide activity and define the street edge and ensure that Miller and Angel Street are activated and overlooked.



Typical office layout

The scale and appearance responds positively to this prominent site and the density and pattern of development in the area. Building heights in this part of NOMA vary with 1 Angel Square at 14 storeys, Angel Gardens at part 7, part 35 storey and 4 Angel Square is 11 storey

On the opposite side of Miller Street is the CIS tower and New Century Hall. New Victoria, adjacent to Victoria Station, includes buildings of 26 and 21 storeys.

The level difference ensures that the 14 storeys for 2 Angel Square and 13 storeys for 3 Angel Square, sit appropriately in the context of the other buildings in this part of the NOMA estate.

The massing of 2 Angel Square slopes and drops down towards Angel Street to minimise the impact on the apartments on the opposite side of the road. The highest part of the development sits adjacent to 3 Angel Square in order to retain its prominence with the adjacent building. 3 Angel Square is 13 storeys. Its impact on the adjacent listed buildings is minimised and considered elsewhere in this report.



North west elevation of 2 Angel Square and 3 Angel Square

Height and massing of 2 and 3 Angel Square including sloping roof of 2 Angel Square

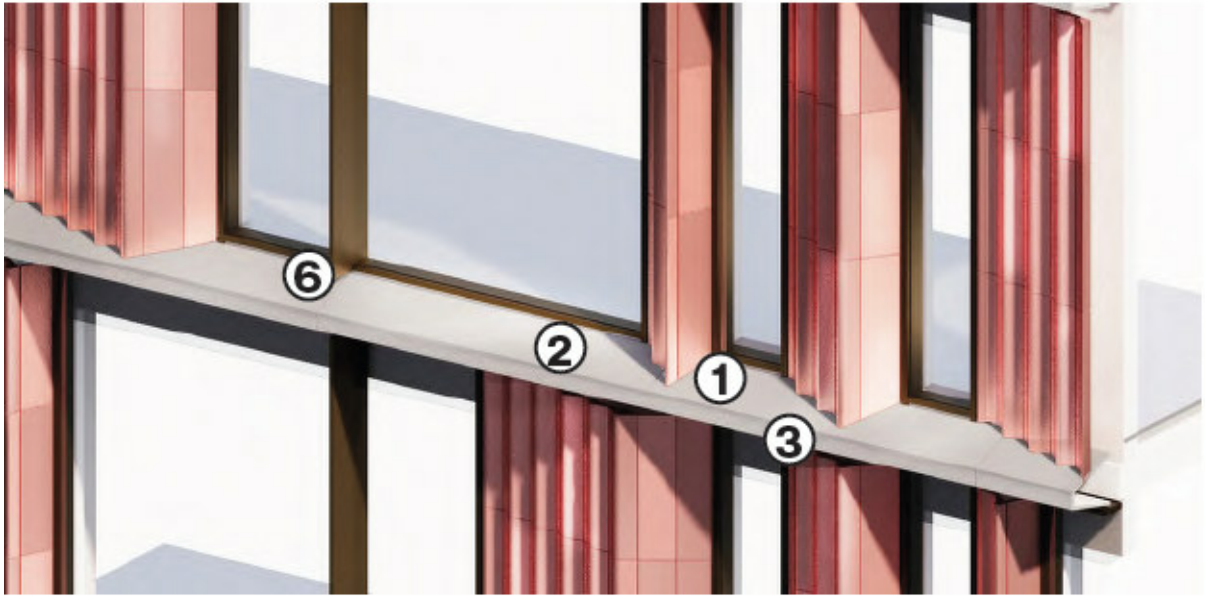
The buildings have been designed as a pair whilst retaining a distinctive identity. Both have a lower and upper ground floor Yorstone plinth to ground the buildings. The upper floors of 2 Angel Square would comprise red terracotta tiles whilst 3 Angel Square would be blue terracotta. Each floor would contain a horizontal element to the façade with an aluminium cill and GRC soffit.



Base of 2 Angel Square



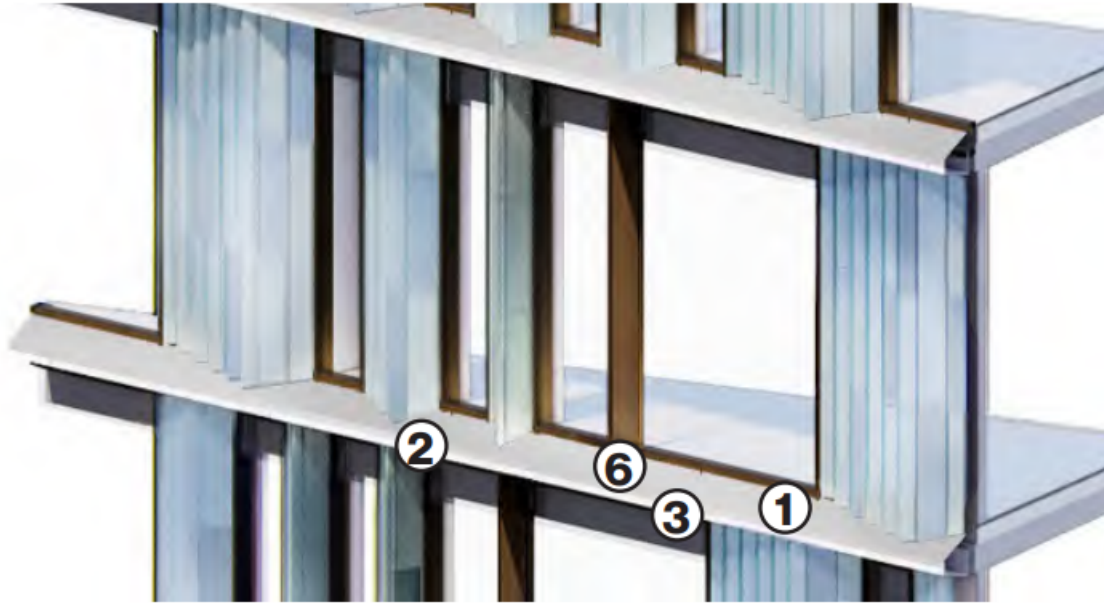
Base of 3 Angel Square



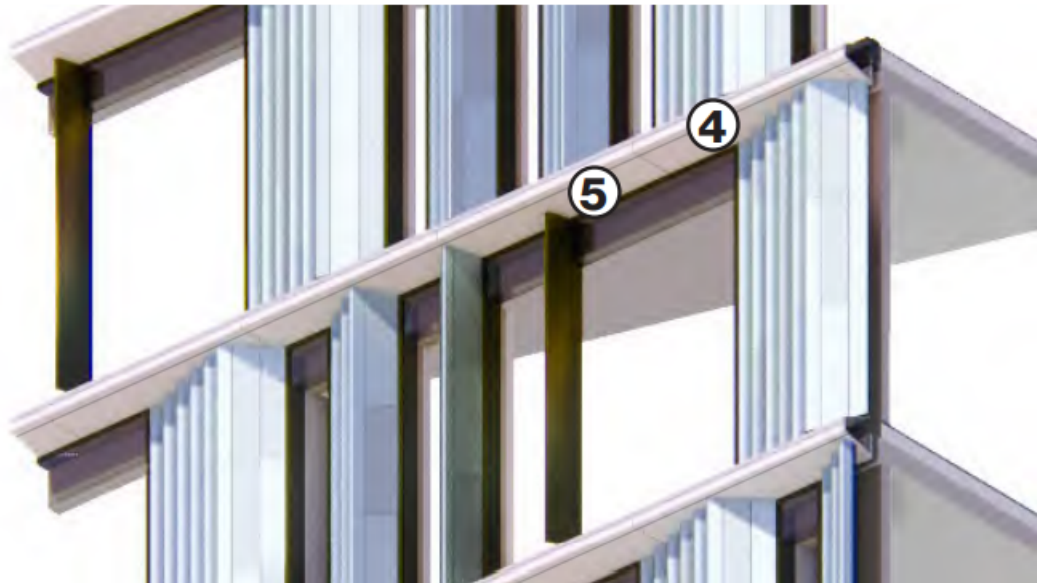
cill detail from above



Window and cill details 2 Angel Square



detail from above



detail from below

Window and cill details 3 Angel Square

Winter garden features would overlook the public realm and Miller Street enhancing the corners of the building.



Winter garden details

The scale of development is appropriate here and the materials deliver a simple and effective façade treatment. Conditions would ensure that the materials are designed and undertaken to the highest standard.

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

Significant areas of public realm would be created that would complement public realm at the estate which would be improved and approved through a separate planning application.

There is a level change of approximately 5.4 metres across the site. The landscaping and public realm would connect the lower and upper ground floors of each building and ensure legible entrances.

Separating the buildings would be pocket gardens and terraces. Tree planting and a water feature would weave through the terraces and connect Angel Gardens to Angel Square. A lift providing access from the lower to the upper ground floor plinth would ensure the space is fully accessible. The public realm also incorporates features representing the previous use of the site as a Mill including artefacts and interpretation boards.



Landscape masterplan

Impact on Trees

There are 5 individual trees and 6 tree groups on the site. They have been subject to an arboricultural assessment and are classified as follows:

- Category A (High Value) – None
- Category B (Moderate Value) – 2 Individual trees and 2 group trees
- Category C (Low Value) – 3 individual trees and 4 group trees

The proposal would result in the removal of 2 category B trees and 4 category C trees.

Policy EN9 states that new developments should maintain green infrastructure. Where the benefits of a proposal are considered to outweigh the loss of an existing element of green infrastructure, the developer should demonstrate how this loss would be mitigated in terms of quantity, quality, function and future management.

The trees cannot be retained if the site is to be developed in a way which would deliver the regeneration objectives. Notwithstanding this, the redevelopment delivers significant regeneration benefits. 30 trees would be planted in the public realm and landscaping works in mitigation of those lost. This would bring biodiversity benefits which are considered elsewhere within this report. This would satisfy policy EN9 of the Core Strategy.

Impact on Ecology

An ecological appraisal concludes that the development would not cause significant or unduly harmful impacts to local ecology. The planting, trees and street trees would enhance green infrastructure, biodiversity and the ecological value of the site. A condition would agree final details to comply with policy EN9 of the Core Strategy and ensure a biodiversity gain at the site.

Effects on the Local Environment/ Amenity

(a) Sunlight, daylight, overshadowing and overlooking

An assessment has established the likely effects of the proposal on daylight and sun light at properties around the site.

There is an extant planning permission at the site for 11 and 12 storey buildings ((124973/FO/2019). This planning application has been developed within the parameters of this extant permission in order to not give rise to any further impacts to surrounding residential properties than the extant scheme.

The site is open and has no buildings with the exception of a low rise marketing suite and does not obstruct light to surrounding buildings. This is an unusual scenario in an urban context.

Guidance exists, in the form of BR209, which sets out alternative targets for assessing the impact of sites such as this on daylight using typical building heights and densities. The impact on surrounding buildings is therefore assessed based on a mirror image of itself which is considered to be more representative.

The following properties were assessed:

- Linx building Angel Street elevation to the north of the site; and
- Angel Gardens (North West elevation) to the south of the site.
-

The assessment has considered other adjacent residential properties but due to the distance and orientation from the site they are unlikely to be affected.

The assessment indicates that the Angel Street elevation of the Linx building would be impacted and would likely to perceive a reduction in light to main living area. A similar situation occurs in relation to the main living areas on the north western elevation of Angel Gardens.

A more detailed study into the vertical sky component (VSC) and probable sunlight hours (APSH) for the Linx building and Angel Gardens has assessed the extent of loss of light.

The impact on Angel Gardens would mainly be experienced by windows on the northwest elevations of the low-rise part of Angel Gardens and the windows on the bottom 4 floors of the high-rise part.

Windows on these bottom 4 floors are predominantly shaded by the northern low-rise parts of Angel Gardens, so it is not expected that there would be an adverse impact from the proposal.

All windows on higher floors of Angel Gardens meet BRE guidance as they are negligibly obstructed. 24 windows tested on the bottom floors of the northwest facing elevation, of the high rise part of Angel Gardens, would also achieve BR209 targets.

186 windows were tested on the low rise part of Angel Gardens. 4 (2.2%) would achieve the BR209 target by either retaining a VSC of at least 15% or at least 0.8 times their original value. The impact on the remaining windows would be as follows: 7 (3.8%) would achieve values between 0.6 and 0.8, 61 (32.8%) values between 0.4 and 0.6 and 115 (61.3%) achieving less than 0.4 of their original value.

Internal layouts indicate that around 57% of windows in Angel Gardens serve living areas with the remaining serving bedrooms. These have a lesser requirement for daylight than living areas.

There are no windows facing within 90° of south with Angel Gardens and there is no requirement to assess sunlight.

The impact on The Link building would mainly be experienced by windows on the Angel Street elevation. 106 windows were considered, 26 (24.5%) of which achieved the BR209 target for VSC by either retaining a VSC of at least 15% or at least 0.8 times their original value.

28 (26.4%) of the remaining windows, achieve between 0.6 and 0.8 times their original value, 32 (30.2%) achieve between 0.4 and 0.6 times their original value and 20 (18.9%) achieve less than 0.4 times their original value. These 20 windows experiencing the most major change are 9 living rooms and 11 bedrooms.

The upper two storeys of The Link building are affected by the overhang of the roof and are set back from the main façade which contributes to the shading to these windows notwithstanding this proposal. There are windows on the corners of the

Angel Street elevation which are below projecting balconies that shade them. Without the presence of these architectural features on the Linx building, the impact of the proposal would be considerably less noticeable.

The 106 windows on the Linx Building were tested for sunlight. 36 (34%) would achieve BR209 targets by achieving at least 25% APSH and 5% WPSH with the proposed development in place; 12 (11.3%) would experience a minor adverse impact; 30 (28.3%) would experience a moderate adverse impact and 28 (26.4%) would experience a major adverse impact.

It is acknowledged that there would be a reduction in light levels in properties in Angel Gardens and The Link building. These impacts are, however, no greater than previously considered as part of planning permission 124973/FO/2019. The harm in this instance is not considered unusual for an urban context such as this where tall buildings and medium sized buildings are located in close proximity to each other. The daylight impacts on Angel Gardens and The Link building are not considered to unduly harmful to warrant refusal of this planning application.

Consideration has also been given to the impact of the development on available sunlight to areas of public realm and amenity spaces. The areas assessed were comprise Angel Square to the northwest of the Proposed Development (Area 1), Angel Gardens amenity spaces (Areas 5,6 and 7) and within the Site of the proposed development (Areas 2 to 4).

The BR209 guidance is met in amenity spaces 1, 3, 6 and 7 with at least 50% of each area receiving at least 2 hours of direct sunlight on the 21 March or would not experience a reduction in hours of sunlight of no more than 20% of its original value.

Proposed amenity spaces 2, 4 and 5 receive some direct sunlight but fall short of BR209 guidance, with between 8.3% and 19.1% of the area of these spaces receiving 2 hours of sunlight on the 21st of March. These areas are seen as an extension to Angel Square, which would be the focus for seating area, and which does meet BR209 guidance. Area 4 will form a link between the Mews and Angel Square and would be designed to incorporate high quality materials and landscaping to achieve an attractive environment.

This area is therefore considered as a single public realm space incorporating areas 1 to 5. BR209 guidance is met within 81.4% of the combined area receiving at least 2 hours of direct sunlight on the 21st of March.

The proposal has been designed to minimise the impact on surrounding residential buildings whilst delivering upon the objectives of the NOMA SRF. It has been demonstrated that the impacts to daylight and sunlight are no greater than were identified as part of the extant planning permission. This is material in the determination of this planning application. The roof profile of 2 Angel Square slopes away from The Links building to further minimise any impacts.

It is considered that the impacts are not unduly harmful to warrant refusal of this application in this urban context.

(b) TV reception

A TV reception survey has concluded that there is likely to be minor interference with digital terrestrial and satellite television. This would be closely monitored during the works and a condition would require of a post completion survey to be undertaken to verify any impacts and secure mitigation if required.

(c) Air Quality

The majority of the site is in the Greater Manchester Air Quality Management Air (AQMA), and adjacent to the Salford AQMA, where air quality conditions are poor. Roads which may be used for construction traffic and post development are in the AQMA. The site was previously developed and is close to homes.

There are homes, businesses, educational facilities 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 on the Assessment of Dust from Demolition and Construction' document, published in 2014.

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

Both the construction and operational impacts of the development on air quality have been considered.

The main contributors to air quality conditions would be from construction. 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 and earthworks. There would be emissions from construction traffic which will enter the site from Miller Street. There are also likely to be cumulative impacts from other nearby developments which will be under construction at the same time.

The impact on human health would be low and would be further minimised by dust suppression measures and other good practices which must be implemented throughout the construction period which would be secured through the construction management plan condition.

Consideration has been given to the impact of the air quality conditions on the future occupants of the development and the surrounding area when the development is occupied.

Although the development would generate traffic, it would not create new impacts on air quality conditions (NO₂, PM₁₀ and PM_{2.5}).

100 car parking spaces would be removed from the site. There would be 30 car parking spaces proposed as part of the development which would result in a net reduction of spaces. There would be 270 cycle spaces and a travel plan to encourage the use of public transport and reduce vehicle trips.

As the development would operate on an all electrical system, there would be no gas fired boilers or generators which would normally contribute to air quality conditions. No mitigation is required to minimise the impact when the development is occupied. A mechanical ventilation system would ensure that air intake to the offices would be fresh and free from pollutants.

Environmental Health concur with the conclusions and recommendations within the air quality report. The mitigation measures would be secured by planning conditions and the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there would be no detrimental impact on existing air quality conditions as a result of the development.

(d) Wind environment

A wind assessment has examined potential effects and in particular, wind flows that would be experienced by pedestrians and the influence on their activities. The assessment considered mitigation measures to minimise the impact on the wind microclimate.

A Computational Fluid Dynamics (CFD) analysis assessed the effects of the proposal on existing wind conditions, the conditions with the development in place and the cumulative scenario with other committed developments. Scenarios (including existing conditions) have been modelled to determine the wind speeds at the site and the impact on pedestrian comfort and safety.

The current wind conditions, for pedestrian safety and comfort, show that there is wind acceleration at Miller Street and Rochdale Road. These are influenced by One Angel Square, CIS building and Angel Gardens.

The proposal would have a minor beneficial effect in reducing wind speeds in these areas with the exception of conditions on Miller Street and Rochdale Road where conditions would remain the same.

The wind conditions are suitable for a range of activities and there are no safety concerns. The provision of the landscaping scheme for the development forms an important part of the wind mitigation strategy.

Noise and vibration

A noise assessment identifies the main sources of noise during construction would be from plant, equipment and general construction activities including breaking of ground and servicing.

Noise levels from the construction would be acceptable provided that the operating and delivery hours are adhered to along with an acoustic site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a planning condition.

The commercial units would need to be appropriately acoustically insulated to prevent noise outbreak along with plant and external equipment.

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

Waste management

A waste management strategy details how waste would be managed.

2 and 3 Angel Square would accommodate a central waste store within the lower ground floor of the buildings. The number of bins required for each building is as follows:

2 Angel Square Non recyclable waste – 5 x 1100 Litre bins, Dry mixed recycling – 5 x 1100 Lite bins plus 660 Litre bin, Glass recycling – 2 x 1100 Litre bins. There would also be additional waste storage requirements for the commercial space within 2 Angel Square and the following bins are required to support this: Non recyclable waste – 3 x 1100 Litre bins; Dry mixed recycling – 3 x 1100 Lite bins; Glass recycling – 1 x 1100 Litre bins plus 660 Litre bin; Organic Food recycling – 1 x 1100 Litre bin

3 Angel Square Non recyclable waste – 6 x 1100 Litre bins; Dry mixed recycling – 7 x 1100 Lite bins; and, Glass recycling – 3 x 1100 Litre bins. There would also be additional waste storage requirements for the commercial space within 3 Angel Square and the following bins are required to support this: Non recyclable waste – 2 x 1100 Litre bins; Dry mixed recycling – 2 x 1100 Lite bins; Glass recycling – 1 x 660 Litre bin; Organic Food recycling – 1 x 660 Litre bin

Waste collections would be undertaken by a private company. 2 Angel Square would be serviced via a dedicated loading bay area whilst 3 Angel Square would be serviced along the shared service road with Angel Gardens.

Environmental Health consider the waste management arrangements to be acceptable.

Accessibility

The proposal would be accessible. Four disabled car parking spaces (two in each building) would be provided within the basement car park in close proximity to the lift core. There is level access into the commercial units and office entrance lobby off Miller Street. All floors of the building are accessible by lift. The public realm would be accessible including lift access to navigate the level changes in the centre of the site.

Impact on the highway network/car parking

A transport statement has concluded that the number of trips generated would not have a detrimental impact on the local highway network with the development being located close to public transport.

2 and 3 Angel Square would each have 15 car parking spaces (including two accessible bays) located with a lower ground floor area. These spaces would each be fitted with an electric car charging point.

Vehicle and servicing access would be from Angel Street via Angel Square for 2 Angel Square whilst 3 Angel Square would be accessed off Miller Street via the shared access with Angel Gardens. Information has been provided which demonstrates these access are appropriate for the vehicle sizes.

There would be 122 cycle spaces for 2 Angel Square and 148 for 3 Angel Square. This would be supported by changing and shower facilities for office workers.

The proposal requires some highway interventions including the creation of vehicle access point, footway improvements (including tactile paving) and the creation of a signal control of 3 Angel Street.

A draft travel plan encourages the use of sustainable forms of travel and conditions would require the production and implementation of a full travel plan. A draft construction management plan demonstrates that there would be minimal impact on the local highway network. A detailed plan would be produced as part of the conditions of any planning approval. A servicing plan is also required.

Overall, the development would have a minimal impact on the local highway network and there would be adequate car and cycle provision. Travel planning would take advantage of the sustainable location to further reduce the reliance on the car. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy

Flood Risk/surface drainage

The site is in flood zone 1 'low probability of flooding'. However, it is in a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. These areas are particularly sensitive to an increase in rate of surface water run-off and/or volume from new developments which may exasperate local flooding problems. The applicant has prepared a drainage statement in support of their planning application.

The Flood Risk Management Team require further details which should be secured by a condition together with verification and future management arrangements.

Designing out crime

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. A recommended condition requires the CIS to be implemented in full to achieve Secured by Design Accreditation.

Ground conditions

A ground conditions report details that the site is contaminated from previous uses and requires remediation. The ground conditions are not complex so as to prevent development provided a strategy is prepared, implemented and the works verified. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Aerodrome Safeguarding

There would be no aerodrome safeguarding concerns in respect of this proposal. An informative about the use of cranes during construction should be imposed.

Construction management

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

The site would be serviced from Miller Street where a site compound area would be created. All servicing vehicles would come via this route which would ensure that there would be minimal disruption to the homes along Angel Street from construction vehicle movements. These properties are still likely to experience noise and dust from the development but this would be minimised through measures agreed in the construction management plan.

There is unlikely to be any cumulative impact from construction activity. There is a large amount of activity in the local area but the proximity of the strategic road network should help to minimise disruption on the surrounding area.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

Conclusion

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal would help to regenerate a key site within NOMA providing much needed high quality office accommodation. It would develop a vacant, poor quality site on a key road junction in the city centre.

The new buildings would be sustainable and high quality and contribute to NOMA through its materials, elevational treatment and how it addresses street frontages. Others benefits include job creation and public realm improvements.

The scale of the proposal would cause some a low level of harm to the significance of the nearby listed buildings. However, this would be outweighed by the public benefits delivered. There would be some localised impacts on amenity at nearby residents in terms of daylight and sunlight, but none are unusual for this urban context.

The level of harm would be less than substantial and would be outweighed by the public benefits delivered. Notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme thus meeting the requirements set out in paragraph 202 of the NPPF.

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

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

Reason for recommendation

Conditions to be attached to the decision

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

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

2) Prior to the commencement of development, a detailed phasing plan (including indicative timescales for implementation) for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall then be carried out in accordance with the phasing plan and timescales agreed.

Reason - The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and the NOMA Strategic Regeneration Framework Development Framework.

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

Drawings

947-CPA-P2-00-DR-A-0200 P02, 947-CPA-P2-02-DR-A-0202 P02, 947-CPA-P2-03-DR-A-0203 P02, 947-CPA-P2-04-DR-A-0204 P02, 947-CPA-P2-05-DR-A-0205 P02, 947-CPA-P2-06-DR-A-0206 P02, 947-CPA-P2-07-DR-A-0207 P02, 947-CPA-P2-08-DR-A-0208 P02, 947-CPA-P2-09-DR-A-0209 P02, 947-CPA-P2-10-DR-A-0210 P02, 947-CPA-P2-11-DR-A-0211 P02, 947-CPA-P2-12-DR-A-0212 P02, 947-CPA-P2-ZZ-SH-A-0120 P02, 947-CPA-P2-ZZ-SH-A-0121 P01, 947-CPA-P3-00-DR-A-0200 P02, 947-CPA-P3-02-DR-A-0202 P02, 947-CPA-P3-03-DR-A-0203 P02, 947-CPA-P3-04-DR-A-0204 P02, 947-CPA-P3-05-DR-A-0205 P02, 947-CPA-P3-06-DR-A-0206 P02, 947-CPA-P3-07-DR-A-0207 P02, 947-CPA-P3-08-DR-A-0208 P02, 947-CPA-P3-09-DR-A-0209 P02, 947-CPA-P3-10-DR-A-0210 P02, 947-CPA-P3-11-DR-A-0211 P02, 947-CPA-P3-ZZ-SH-A-0120 P02, 947-CPA-P3-ZZ-SH-A-0121 P01, 947-CPA-ZZ-00-DR-A-0150, 947-CPA-ZZ-ZZ-DR-A-0102 REV P03, 947-CPA-ZZ-ZZ-DR-A-0600 REV P02, 947-CPA-ZZ-ZZ-DR-A-0601 REV P02, 947-CPA-ZZ-ZZ-DR-A-0602 REV

P02, 947-CPA-ZZ-ZZ-DR-A-0603 REV P02, 947-CPA-ZZ-ZZ-DR-A-0700 REV P02, 947-CPA-ZZ-ZZ-DR-A-0701 REV P02, 947-CPA-ZZ-ZZ-DR-A-0702 REV P02, 947-CPA-ZZ-ZZ-DR-A-0703 REV P02, PL2190.1-PLA-XX-XX-DR-L-1000 P05, PL2190.1-PLA-XX-XX-DR-L-1001 REV P03, PL2190.1-PLA-XX-XX-DR-L-1002 REV P01, PL2190.1-PLA-XX-XX-DR-L-2000 REV P03, PL2190.1-PLA-XX-XX-DR-L-3000 REV P01, PL2190.1-PLA-XX-XX-DR-L-3001 REV P01 and PL2190.1-PLA-XX-XX-DR-L-3002 REV P01

All stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022

947-CPA-P2-01-DR-A-0201 P03, 947-CPA-P2-13-DR-A-0213 P03, 947-CPA-P2-15-DR-A-0215 P01, 947-CPA-P2-ZZ-DR-A-0600 REV P03, 947-CPA-P2-ZZ-DR-A-0601 P03, 947-CPA-P2-ZZ-DR-A-0602 REV P03, 947-CPA-P2-ZZ-DR-A-0603 REV P03, 947-CPA-P2-ZZ-DR-A-0700 P03, 947-CPA-P2-ZZ-DR-A-0701 P03, 947-CPA-P2-ZZ-DR-A-0800 P03, 947-CPA-P2-ZZ-DR-A-0801 P03, 947-CPA-P2-ZZ-DR-A-0802 P03, 947-CPA-P2-ZZ-DR-A-0803 P03, 947-CPA-P3-ZZ-DR-A-0600-P03, 947-CPA-P3-ZZ-DR-A-0601-P03, 947-CPA-P3-ZZ-DR-A-0602-P03, 947-CPA-P3-ZZ-DR-A-0603 P03, 947-CPA-P3-ZZ-DR-A-0700-P03, 947-CPA-P3-ZZ-DR-A-0701-P03, 947-CPA-P3-ZZ-DR-A-0800-P03, 947-CPA-P3-ZZ-DR-A-0801-P03, 947-CPA-P3-ZZ-DR-A-0802-P03, 947-CPA-P3-ZZ-DR-A-0803-P03, 947-CPA-P3-ZZ-DR-A-0201-P03, 947-CPA-P3-ZZ-DR-A-0212-P03, 947-CPA-P3-ZZ-DR-A-0213-P03 and 947-CPA-P3-ZZ-DR-A-0214-P02

All stamped as received by the City Council, as Local Planning Authority, on the 9 September 2022

Supporting information

Statement of Consultation prepared by Deloitte and Counter Context, Heritage and Visual Impact Assessment prepared by Stephen Levrant Heritage Architecture, Environmental Standards Statement prepared by Mainer with support from Buro Happold, Energy Statement prepared by Buro Happold, BREEAM Pre-Assessment prepared by Mainer Associates, Noise and Vibration Assessment prepared by Buro Happold, Ground Engineering Desk Study Report (May 2022) prepared by Buro Happold, 2 & 3 Angel Square and NOMA Marketing Suite Report on Ground Investigation prepared by Structural Soils, Archaeological Desk Based Assessment (August 2019) prepared by Salford Archaeology, Archaeological Excavation Report (October 2021) prepared by Salford Archaeology, Aviation Safety Assessment prepared by Pager Power, Underground Utilities Map prepared by Charter Oaks Limited, Television Baseline Survey prepared by Pager Power, Ecological Survey and Assessment prepared by ERAP, Arboricultural Impact Assessment prepared by Bowland Tree Consultancy Limited, Local Labour Agreement prepared by NOMA (GP) Ltd, Crime Impact Statement prepared by Greater Manchester Police, Ventilation Strategy prepared by Buro Happold, Servicing and Waste Management Strategy prepared by Curtins, Flood Risk Assessment prepared by Buro Happold, Drainage Strategy prepared by Buro Happold, Operational Management Strategy prepared by Workman, Transport Statement prepared by Curtins, Framework Travel Plan prepared by Curtins, Air Quality Assessment prepared by Buro Happold and Outline Construction Management Plan – prepared by Gardiner and Theobald;

Environmental Statement, including the following chapters:

- Introduction – prepared by Deloitte LLP;
- Methodology and Significance Criteria – prepared by Deloitte LLP;
- Site, Surroundings and Description of Proposals – prepared by Deloitte LLP;
NOMA, 2&3 Angel Square 8

- Consideration of Alternatives – prepared by Deloitte LLP;
- Construction Methodology and Phasing – prepared by Gardiner and Theobald and Deloitte LLP;
- Sunlight and Daylight Assessment – prepared by Buro Happold;
- Wind Microclimate Assessment – prepared by Buro Happold;
- Type 1 Cumulative Effects – prepared by Deloitte LLP;
- Summary of Residual Effects – prepared Deloitte LLP; and
- Non-Technical Summary – prepared by Deloitte LLP and Buro Happold.

All stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022

Design and Access Statement prepared by Cartwright Pickard, Landscape Design and Access Statement prepared by Planit-IE Rev P03 stamped as received by the City Council, as Local Planning Authority, on the 9 September 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.

4) 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 for approval in writing by the City Council, as Local Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological watching briefing.
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: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible pursuant to policies EN3 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

5) A phase of development shall not commence until details of the method for piling, or any other foundation design using penetrative methods, has been submitted for

approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

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

6) Prior to the commencement of a phase of development, a detailed construction management plan outlining working practices during development shall be submitted for approval in writing by the local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- 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.

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, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) a) Prior to the commencement of a phase of development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction 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).

8) Notwithstanding the details submitted on the Drainage Strategy prepared by Buro Happold stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Further assessment of the feasibility of implementing alternative green SuDS solution such as rain gardens, SuDS enabled street trees and rainwater harvesting techniques;

- 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 45% climate change allowance).

- 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 45% 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 (including proposed internal and external levels) 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.

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

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

9) Notwithstanding the Desk Study, BuroHappold, 050930-BHE-GE-RP-XX-X-0001, 29 June 2022 and report on Ground Investigation, Structural Soils Limited, 765325, October 2021 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022.

(a) before a phase of development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Site Investigation,
- Final Risk Assessment; and
- Remediation Strategy (if required).

Once approved, the development shall then be carried out in accordance with the approved details.

(b) When a phase of development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted for approval in writing by the City Council as local planning authority prior to the first occupation of a phase of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development 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 - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

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

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

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area

within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

11) Prior to the first use of a phase of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include:

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

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

12) (a) Notwithstanding drawings PL2190.1-PLA-XX-XX-DR-L-1000 P05, PL2190.1-PLA-XX-XX-DR-L-1001 REV P03, PL2190.1-PLA-XX-XX-DR-L-1002 REV P01, PL2190.1-PLA-XX-XX-DR-L-2000 REV P03, PL2190.1-PLA-XX-XX-DR-L-3000 REV P01, PL2190.1-PLA-XX-XX-DR-L-3001 REV P01 and PL2190.1-PLA-XX-XX-DR-L-3002 REV P01 stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022, prior to the first use of a phase of this development, details of hard and soft landscaping treatments (including tree planting, street tree planting, boundary treatments (including temporary boundary treatments) and appropriate samples of materials of hard landscaping etc) shall be submitted to and approved 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. 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 use of a phase of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted for approval 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).

14) The development hereby approved shall be carried out in accordance with the Environmental Standards Statement prepared by Mainer with support from Buro Happold and Energy Statement prepared by Buro Happold stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

15) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Excellent' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, before any of the buildings hereby approved are first occupied.

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.

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

(b) Prior to the first use of a phase of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority. Any measures shall thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17) The development hereby approved shall be carried out in accordance ^{servicing and} Waste Management Strategy prepared by Curtins stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

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

18) Prior to the first use of a phase of the development, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first use of a phase of the development and thereafter retained and maintained in situ.

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

19) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first use of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

20) 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.

21) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022. 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.

22) The development shall be carried out in accordance with the interim travel plan stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022.

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

Within six months of the first occupation of the building, 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 for occupants, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

23) Prior to the first use of a phase of development, the provision of cycle spaces, as indicated on drawings 947-CPA-P2-00-DR-A-0200 P02 and 947-CPA-P3-00-DR-A-0200 P02 stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022 shall be implemented and retained and maintained in situ for as long as the development remains in use.

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

24) Prior to the first use of a phase of the development hereby approved, the car parking layout, as indicated on drawings 947-CPA-P2-00-DR-A-0200 P02 and 947-CPA-P3-00-DR-A-0200 P02 stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

25) Prior to the first use of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm 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:

- Creation of Vehicle access from Angel Street and Miller Street including installation of tactile paving and dropped kerbs either side of the new access points and appropriate 'give way' lining arrangements;
- Traffic signal entry/exit arrangement to 3 Angel Square car park including road markings, details of proposed interaction with traffic simultaneously accessing/egressing Angel Gardens; and
- Review and alterations of street lighting to Miller Street and Angel Street.

The approved scheme shall be implemented and be in place prior to the first occupation of the 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) and in accordance with the NOMA masterplan.

26) Prior to the first use of a phase of the development, details of the specification of electric car charging points to all car parking spaces, as indicated on drawings 947-CPA-P2-00-DR-A-0200 P02 and 947-CPA-P3-00-DR-A-0200 P02 stamped as received by the City Council, as Local Planning Authority, on the 7 July 2022, for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme for that phase shall be implemented prior to the first use of the development and made available and thereafter retained for as long as the development is in place.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

27) Notwithstanding the TV reception survey stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, within one month of the practical completion of the 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.

28) Prior to the first use 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).

29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification):

- 2 Angel Square hereby approved shall only be used for offices (Use Class Egi) and two flexible commercial units at Upper Ground floor Level (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)) (excluding convenience retail), and with a flexible office (Use Class Egi) and/or restaurant (Use Class Eb) space at Level 12
- 3 Angel Square hereby approved shall only be used for offices (Use Class Egi) with two flexible commercial units provided over Lower and Upper Ground Floor Levels (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)) (excluding convenience retail), a further flexible commercial unit at Upper Ground Floor Level only allowing for ancillary seminar space and / or Sui Generis Use Class (t) Cinema space

Reason - In the interest of retaining the provision of office space within the development pursuant to policies EC1, EC4 of the Manchester Core Strategy (2012) and the NOMA masterplan.

30) The commercial units hereby approved shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

31) Prior to the first use of a phase of the development hereby approved, a servicing management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of that phase of the development and remain in place for as long as the development remains in use.

Reason - In the interest of highway and pedestrian safety pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

32) When the development is first occupied, 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).

33) Prior to the first use each phase, the commercial units for each phase, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for the commercial units in that phase.

Reason - In interests of amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

34) Prior to the first use each of the office accommodation for each phase, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for the office accommodation in that phase.

Reason - In interests of 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.

35) The roof terraces hereby approved shall not be open outside the following hours:-

Monday to Saturday 08:00 to 23:00
No use of the roof terrace on Saturday and Sundays

There shall be no amplified music or sound on the roof terrace at any time.

Reason - In interests of 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.

36) Prior to the first use of each of the commercial units in each phase, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the

first occupation of each of the commercial units and thereafter retained and maintained in situ.

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

37) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

38) Prior to the first use of each commercial unit, gym and cinema spaces, details of how the commercial spaces will be acoustically insulated and treated to limit the break out of noise shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include a noise study of the premises and a scheme of acoustic treatment.

Where entertainment noise is proposed the L_{Aeq} (entertainment noise) shall be controlled to 5dB below the L_{A90} (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 ($L_{eq,5min}$), respectively.

(b) The approved scheme shall be implemented and prior to the first use of each of the commercial space, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

39) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

40) Prior to the first use of the commercial spaces within a phase of development, details of any external areas associated with these commercial spaces (including an Operating Schedule) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The Operating Schedule shall contain the following details:

- a. A scaled layout plan showing the proposed seating area, including layout of furniture and demarcation of the area;
- b. Full details of the measures proposed to ensure that the proposed seating area is fully accessible by disabled people;
- c. Details of the proposed furniture, including any barriers;
- d. A detailed management strategy that includes information on how the proposed external seating area would be managed in terms of potential noise disturbance, additional movement and activity, litter and storage of furniture at night;
- e. days and hours of operation.

The approved plan shall be implemented upon first use of the commercial uses in phase C1 and thereafter retained.

No amplified sound or any music shall be produced or played in any part of the site outside the building.

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

41) Prior to the first use of the development hereby approved, a detailed landscaped management plan for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include details of how the hard and soft landscaping areas will be maintained including maintenance schedules and repairs. The management plan shall then be implemented as part of the development and remain in place for as long as the development remains in use.

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

42) Prior to the commencement of each phase of the development, details of the siting, scale and appearance of any associated temporary boundary treatment shall

be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of each phase of development and removed when no longer required.

Reason – In the interest of securing temporary boundary treatment as part of the phasing programme pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 16. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

44) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the roof of the buildings (including cross sections). The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

Informatives

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 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/Crane-notification/>
It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.
- It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met

prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place

- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with Designer's Response) is to be made available to the Statutory Approvals Team upon request.
- You should ensure that the proposal is discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the development due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 134307/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:

**Planning Casework Unit
 Environmental Health
 MCC Flood Risk Management
 Highway Services
 Neighbourhood Team Leader (Arboriculture)
 Work & Skills Team
 Greater Manchester Ecology Unit
 Environment Agency
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Police
 Historic England (North West)
 Manchester Airport Safeguarding Officer
 National Amenity Societies
 Transport For Greater Manchester
 United Utilities Water PLC**

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

Representations were received from the following third parties:

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : jennifer.atkinson@manchester.gov.uk

