



## **Planning and Highways Committee**

Date: Thursday, 13 April 2023

Time: 2.00 pm

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Chamber**

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.. **There is no public access from the Lloyd Street entrances of the Extension.**

### **Filming and broadcast of the meeting**

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

## **Membership of the Planning and Highways Committee**

### **Councillors**

Curley (Chair), Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Flanagan, Hewitson, Kamal, Leech, J Lovecy, Lyons, Riasat and Sadler

## Agenda

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1. **Urgent Business**  
To consider any items which the Chair has agreed to have submitted as urgent.
- 1a. **Supplementary Information on Applications Being Considered**  
The report of the Director of Planning, Building Control and Licencing will follow.
2. **Appeals**  
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
3. **Interests**  
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
4. **Minutes**  
To approve as a correct record the minutes of the meeting held on 16 March 2023. 5 - 12
5. **121195/FO/2018 & 121196/LO/2018 - Land at Shudehill Manchester, M4 2AD - Piccadilly Ward** 13 - 136  
The report of the Director of Planning, Building Regulations and Licensing is enclosed.
6. **135733/FO/2022 - Barlowmoor Glen Gas Governor, Barlow Moor Road, Manchester, M21 7GZ - Chorlton Park Ward** 137 - 150  
The report of the Director of Planning, Building Regulations and Licensing is enclosed.
7. **134160/OO/2022 - Land to the north of 27 Capenhurst Close, Manchester, M23 2SL - Baguley Ward** 151 - 170  
The report of the Director of Planning, Building Regulations and Licensing is enclosed.

## Meeting Procedure

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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

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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

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

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This agenda was issued on **Monday, 3 April 2023** 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 16 March 2023**

#### **Present:**

Councillor Curley – in the Chair

Councillors Andrews, Y Dar, Davies, Flanagan, Hewitson, Kamal, Leech, Lovecy

**Apologies:** Councillors Baker-Smith, Riasat, Lyons, S Ali and Sadler

**Also in attendance:** Councillors Hilal, Midgley, Rawson and Shilton Godwin

#### **PH/23/21      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding applications 135048/FO/2022, 134946/FO/2023 and 135647/FO/2022.

#### **Decision**

To receive and note the late representations.

#### **PH/23/22      Interests**

Councillor Flanagan declared a Pecuniary Interest in Item 6 - 134946/FO/2022 Jessiefield Spath Road, Manchester, M20 2TZ - Didsbury West Ward.

#### **PH/23/23      Minutes**

Councillor Leech referred minute number PH/23/14. It stated that Councillor Leech had felt a site visit would not be helpful. Councillor Leech corrected this, stating he did support a site visit but noted that a site visit may not assist Members in understanding noise concerns of residents as the court was not yet built.

#### **Decision**

To approve the minutes of the meeting held on 16 February 2023 as a correct record, subject to the amendment above.

#### **PH/23/24      135048/FO/2022 - Northern Lawn Tennis and Squash Club, Palatine Road, Manchester, M20 3YA - Didsbury West Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application relating to the erection of an 8.3-metre-high building to house two padel tennis courts, with associated lighting and infrastructure.

At its meeting held on 16 February 2023, the Committee deferred the application and requested the Director of Planning to submit a more detailed report regarding noise mitigation.

The Planning Officer noted that additional information was now contained within the report to show the impact from noise for residents would be within acceptable limits.

An objector attended and addressed the Committee on the application, raising concerns about the noise the development would create. A noise report had been commissioned by objectors and it was felt this had been left out of the published report. Concerns were also raised about the damage caused to the conservation area by this application.

The applicant attended and addressed the Committee, noting that noise impact was a consideration when choosing the location for this application. Acoustic testing was completed from outside the court, not inside, which would provide further noise mitigation, therefore providing a worst-case scenario. There was a proposed planning condition to provide further acoustic testing once the courts were constructed to ensure compliance. Further mitigation measures were available if noise levels were found to be not compliant. The applicant also addressed concerns relating to the conservation area.

Councillor Hilal addressed the Committee as ward councillor, raising resident concerns relating to noise and that the noise report submitted by local residents had been seemingly left out of the published report. Councillor Hilal requested the Committee had a site visit to determine if the application would have a detrimental impact on the local area.

The Planning Officer noted that a full and detailed, robust noise assessment was submitted as part of the planning application. They stated that colleagues in Environmental Protection were satisfied that the noise impact was within acceptable limits. The report commissioned by objectors was also considered in detail, but this did not change the conclusions of Environmental Protection. Once constructed, a verification report would be required to ensure that the correct mitigation was incorporated and an acoustic fence was also required to be erected next to the nearby residential gardens to provide further protection. In terms of the conservation area impact, this was fully assessed and considered to be acceptable, with the public benefits of the application outweighing any harm.

Members of the committee sought clarity on how the acoustic report commissioned by objectors had been considered. It was also suggested a site visit would be beneficial to the Committee.

The Planning Officer stated that their colleagues in Environmental Protection had fully assessed the report provided by the applicant and were happy that the conclusions of that report were correct. The report commissioned by the objectors did not change those conclusions.

The Director of Planning explained that the Committee had been provided with the conclusions of professionals in environmental health.

A member of the committee raised similar concerns related to the noise report commissioned by objectors.

The Planning Officer stated that both the applicant's and objector's reports had been fully considered by colleagues in environmental health. The report commissioned by objector's had not changed the conclusions they reached from the applicant's report.

A member stated that a site visit would not to be beneficial to the Committee as the application had been deferred based on noise and the impact of that could not be seen without it being built. The member suggested that he would be minded to approve, provided a condition was added for the Council to appoint an independent expert to assess both the applicant's and objectors' noise reports, with the Chair and Director of Planning to then determine whether the noise impacts were acceptable.

A member questioned if 50 decibels were the requirement for noise levels and if there was a possibility for swearing to be heard from the courts within neighbouring homes and their gardens.

The Planning Officer noted the information provided by the published report relating to the noise report. They stated that swearing was a management issue, and it was not appropriate to refuse a planning application based on this.

A member requested legal opinion relating to the proposal made for the committee to be minded to approve, subject to the assessment of the noise reports.

The Committee was informed that the proposal was not a condition that could be imposed on the Council and were reminded that council officers were the independent assessor.

The member withdrew the proposal.

Councillor Andrews moved the Officer's recommendation to approve the application.

Councillor Leech requested that an additional condition be imposed for additional noise mitigation measures to be implemented.

The Planning Officer stated that the conditions of the application required a verification report once constructed. They noted that safeguards were already built into the conditions as part of the application before the Committee.

The Director of Planning assured members that all representations received are looked at in great deal.

Councillor Dar seconded Councillor Andrew's proposal to move the Officer's recommendation to approve the application.

## **Decision**

The Committee resolved to approve the application as set out in the reports submitted.

**PH/23/25**

**134946/FO/2022 - Jessiefield, Spath Road, Manchester,  
M20 2TZ - Didsbury West Ward**

Councillor Leech declared an interest and moved to the public seating area, in order to address Committee on the application.

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application regarding the erection of part two, part three storey building to provide 26 retirement apartments with associated communal facilities, landscaping, boundary treatments and car parking following the demolition of the existing dwelling.

At its meeting held on 16 February 2023, the committee agreed the proposal of Minded-to-Refuse, based on the scale and mass of the scheme coupled with the lack of adequate parking and disabled parking spaces.

The Planning Officer noted the applicant had taken on board concerns raised at the previous meeting and increased the number of car park spaces to 26. The ridgeline of the roof facing Lancaster Road had also been reduced by 0.65m. The officer also stated that additional images and CGIs are included within the report to demonstrate that the proposed scheme is in line with the conclusions reached by the inspector who dismissed the previous appeal.

An objector attended and addressed the Committee, raising concerns regarding scale and mass, and car parking having an impact on the street scene.

The applicant's agent attended and addressed the Committee, providing information on the purpose of the application. They noted a lower percentage of their residents would utilise a car. They stated the changes that the applicant had made since the previous meeting relating to parking, scale and mass, and tree planting.

Councillor Leech addressed the meeting as a ward councillor, noting his disappointment that there had not been a re-consultation for the significant changes proposed. Councillor Leech felt that the increase in car parking created a different problem in terms of the loss of landscaping. He felt that the site was too small for the proposal and the reduction in size was insignificant. He considered that the scale and massing of the development was still too large.

Councillor Leech then left the meeting and took no further part in the discussion or decision-making process.

Councillor Hilal addressed the meeting as a ward councillor, raising concerns about the increase in car parking and its impact on green space and not being in-keeping with the area. It was felt that the reduction in height was not a reduction as it took the size down to the original application that was previously rejected on appeal. Councillor Hilal felt the application would still be overbearing. It was noted that this application did not offer affordable housing, and this was not in line with Manchester's policy.

The Planning Officer noted the two reasons for Minded to Refuse at the last meeting. One was car parking, which had been addressed with the increase to 26 spaces and was considered to be visually acceptable on the street scene. In regard to scale and mass, there had been a substantial reduction since the previous appeal.



A member sought clarity on the Officer's recommendation of Minded to Approve subject to a legal agreement.

The Planning Officer stated the legal agreement related to the future retesting of the viability of affordable housing now the scheme had been reduced.

Councillor Andrews moved the Officer's recommendation.

A member noted the additional provision of car parking but still felt that the scale and mass of the application was not appropriate.

Councillor Kamal seconded Councillor Andrew's proposal to move the Officer's recommendation.

### **Decision**

The Committee resolved that it was Minded to Approve the application, subject to a legal agreement containing a reconciliation clause which would require the future retesting of viability for the provision of affordable units, as set out in the reports submitted.

(Councillor Flanagan declared a Pecuniary interest in the item and withdrew from the meeting for the duration taking no part in the discussion or decision-making process).

### **PH/23/26      135278/FO/2022 - St Gabriels Hall, 1 Oxford Place, Manchester, M14 5RP - Ardwick Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that proposed a development involving some demolition and the erection of part 4 storey, part 5 storey buildings and the refurbishment and restoration of existing buildings to form student accommodation, with associated landscaping, cycle parking, car parking and associated works 319 student bedrooms are proposed, including 217 studios and 102 cluster units, split across two new-builds and a refurbished St Gabriel's Hall and Woodthorpe Hall.

At its meeting held on 16 February 2023, the Committee was Minded-to-Refuse the application, owing to a lack of electric vehicle charging points and disable parking.

The Planning Officer had no further information to add to the published report.

The applicant's agent attended and addressed the Committee, noting the applicant had addressed the Committee concerns from the previous meeting, particularly relating to disabled parking, doubling the number of spaces available.

Councillor Flanagan welcomed the increase in parking provision for disabled students and moved the Officer's recommendation of Approve.

Councillor Andrews seconded the proposal.

## Decision

The Committee resolved to Approve the application as set out in the report submitted.

(Councillor Leech left during this item and took no part in the discussion or decision-making process).

### **PH/23/27 135647/FO/2022 - 550 Mauldeth Road West, Manchester, M21 7AA - Chorlton Park Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures.

At its meeting held on 16 February 2023, the Committee agreed to undertake a site visit, owing to concerns raised around traffic and pedestrian safety, junctions and highways at the site.

The Planning Officer stated there had been a site visit on 16 March 2023, with the physical context of the site being observed. Also, that following this application being deferred additional information has been included within the report in relation to highway and pedestrian safety as well as additional information submitted by the applicant. The additional information includes details of the independent road safety audit which was undertaken, the increase of customer cycle parking provision to 24 cycle spaces including provision for 4 cargo bikes. Also, 15 safety bollards on Nell Lane, the restriction of servicing during morning school drop off and additional information in relation to the junction at Nell Lane amongst other matters. Additional information within the report also compares anticipated movements with the use of the existing office building which has a 105 space car park.

An objector attended and addressed the Committee, highlighting the concerns of local Head Teachers and local residents. Concerns were raised relating to the suitability of the location, traffic and accident data and child safety. It was noted that holding a site visit on the day of a teacher's strike did not highlight the full extent of the problems relating to highway and pedestrian safety at peak times.

The applicant's agent attended and addressed the Committee, noting the changes since the deferral. Those changes included the introduction of safety bollards on Nell Lane, a Planning condition preventing deliveries during the morning school drop-off period and a Planning condition to ensure management of the car park prevented parent use for school drop-off and pick-ups. There was also a commitment to review travel planning in the first three months of the store opening to ensure it operated in a safe and appropriate manner. It was noted that the Council's Highways Team and Transport for Greater Manchester were satisfied that the application was safe and acceptable in terms of highway and pedestrian safety.

Councillor Shilton- Godwin addressed the Committee as ward councillor, raising concerns related to highway and pedestrian safety. It was felt the application would add to traffic on the route to four local schools, hindering pupil safety. Car and Van

use in the area had increased by 28% but there had been no similar increase in parking, which in turn had created issues with pavement parking. Councillor Shilton Godwin stated that if the store was to be a local store for local people, then the size of the car park should be decreased, whilst increasing the cycling parking. Whilst welcoming the idea that parents could not use the car park for school drop-off and pick-ups, there was uncertainty on how that would be achieved.

Councillor Midgely addressed the Committee as ward councillor, noting the need to acknowledge the positives of the application too. During a cost-of-living crisis, it was stated that for residents to have a local budget supermarket within walking distance was a positive. Residents had often been paying for taxis to different areas for their shopping. The local employment opportunities were also welcomed.

The Planning Officer stated that mitigation measures had been proposed at the junction of Nell Lane, with all evidence fully assessed showing that the junction can operate safely. The Mauldeth Road West junction was to be upgraded. An independent safety audit had been carried out and concluded that the impact of the proposals on the highways were not unacceptable. It was noted that the Committee should take account that the office building that occupied the site could be used at any point, with a 105-space car park, without any controls.

Councillor Flanagan raised concerns relating to traffic management. It was stated that there was a need to consider the possibility of the use of the 105-space car park but noted this was only 20 more spaces than within the application. Councillor Flanagan noted that there was a Mosque nearby that would increase traffic for Friday Prayers but that had been omitted from the report. Councillor Flanagan was not satisfied that this was a safe application and therefore proposed that he was Minded to Refuse based on highway safety for traffic to the supermarket, pedestrians, and cyclists.

The Planning Officer repeated that all junctions had been fully tested and they were satisfied that they could operate safely. An internal safety audit had been carried out and was considered in the Officer's recommendations.

Councillor Lovecy noted that the site visit had been helpful. Councillor Lovecy supported Minded to Refuse, with further work completed on traffic management at the site.

A member welcomed the site visit but noted that it had been a teacher's strike on the day, so it was not representative of the scale of the problem. The member also referenced page 190 of the published reports, that stated the offices being used for their original purpose would increase traffic further than this application. He stated that he did not accept those figures due to the changes in people's working habits in recent times. The member felt that the highways data that concluded there would be no additional traffic as a result of changes to Barlow Moor Road and this application was completely false.

The Chair requested that the member amend the comments relating to completely false data being used by the highway's teams. The member amended his statement to say the data was flawed.

The Planning Officer repeated that all junctions had been fully tested and they were satisfied that they could operate safely. The modelling used is nationally recognised and one that all Local Authority's must consider in Planning applications.

A member sought clarity that the impact of the changes to Barlow Moor Road had been factored in.

The Planning Officer stated that their colleagues in highways had assured them that they had.

The Chair recognised that Councillor Flanagan had moved a recommendation of Minded to Refuse, which had been seconded by Councillor Lovecy.

### **Decision**

The Committee resolved that it is Minded to Refuse the application, owing to traffic management issues.

|                                      |                      |                             |                 |
|--------------------------------------|----------------------|-----------------------------|-----------------|
| <b>Application Number</b>            | <b>Date of Appln</b> | <b>Committee Date</b>       | <b>Ward</b>     |
| 121195/FO/2018 and<br>121196/LO/2018 | 28th Nov 2018        | 13 <sup>th</sup> April 2023 | Piccadilly Ward |

**Proposal** Demolition of all non-listed buildings (with exception of partial retention of the Rosenfield Building facade), partial demolition and alterations to 29 Shudehill, and erection of a new building comprising ground floor plus part 2, part 7, part 8, and part 19 storey to include 175 residential units (Use Class C3) together with flexible ground floor commercial floorspace (Use Class E), new public realm, cycle parking (90 spaces), and other associated works.

LISTED BUILDING CONSENT for works to 29 Shudehill associated with partial demolition and alterations to 29 Shudehill, and erection of a new building comprising ground floor plus part 2, part 7, part 8, and part 19 storey building to include 175 residential units (Use Class C3) together with flexible ground floor commercial floorspace (Use Class E), new public realm, cycle parking (90 spaces), and other associated works following demolition of all non-listed buildings with the exception of the partial retention of the Rosenfield Building façade.

**Location** Land At Shudehill, Manchester, M4 2AD

**Applicant** Mr Jebreel , Interland Holdings Ltd, C/o Agent,

**Agent** Mr Neil Lucas, Avison Young, Norfolk House, 7 Norfolk House  
Manchester, M2 1DW

### **Executive Summary**

#### **Key Issues**

The development would redevelop a largely vacant site that contains heritage assets. These make a positive contribution to the street scene, the character of the conservation area and setting of adjacent listed buildings. Their setting and character could be improved through appropriate regeneration. The site is fragmented and disjointed, but the wider townscape of the conservation area has visual cohesion, from its complementary massing, layout and form of its buildings.

The proposals would provide 175 homes and commercial units but the form of development: would not be of an appropriate quality; would not enhance its surrounding to an acceptable level; and would not deliver a coherent development which properly responds to context, or which maintains the areas prevailing character and setting. The harm to heritage assets would not be outweighed by public benefits.

The development would be car free. Cycle parking is proposed but this would be less than 1 space per apartment.

Objections have also been received from Historic England and the Victorian Society 71 letters of objection have been received from 2 rounds of notification concerned about the use, design and impact on heritage assets impact on amenity including on

future residents from existing noise sources (agent of change), servicing and highways impacts, construction impacts and sunlight and daylight impacts. An objection has also been received from and Save Britain's Heritage.

**Principle of the proposal, design and the schemes contribution to**

**regeneration:** The development would deliver high density housing on a brownfield site in a sustainable location and the housing and commercial units would meet an identified need for housing and job creation during delivery and in operation. The building would have high levels of sustainability, being low carbon with measures to manage surface water drainage and improve biodiversity.

An appropriate form of development could make a significant contribution to the ongoing regeneration of the area. However the scale and massing, proportions and architectural detailing, of the proposal would not be acceptable and it would have an adverse on heritage assets, in a conservation area and within the setting of listed buildings. This would undermine the City's regeneration objectives.

Many sites in the area have been revitalised with high quality development and refurbishment of heritage assets. This development would not deliver an appropriate quality and would not positively contribute to the City's ongoing regeneration.

**Economic issues:** The development would create employment during construction and permanent employment in the commercial units and building management. It would support 198 FTE direct and indirect construction jobs, with a GVA associated with these jobs of £8.3m per annum.

The development would create commercial space and increase employment density creating 43 net direct and indirect jobs with a GVA of £1.1m per year.

175 homes would accommodate 420 residents who would spend about 3.2m pa, which would support local businesses and create 23 local jobs. The GVA associated with jobs supported by expenditure is circa £789,000 per annum. The proposal would generate around £328,000 annually in Council Tax.

**Social issues:** A local labour agreement would ensure that Manchester residents are prioritised for construction jobs and jobs within the hotel. Public realm improvements would improve legibility and activity on the principal street facing sides of the site benefit residents and visitors.

**Environmental :** This would be a low carbon development in a highly sustainable location. It would be highly efficient and meet some of its energy needs through renewable technology. There are no harmful impacts on traffic and local air quality and any impacts can be mitigated. The ground conditions are not complex or unusual and drainage aims to minimise surface water runoff. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling.

The development would have an unduly harmful impact on visual amenity. The overall scale and massing and detailed appearance would not respect the character

and appearance of the Shudehill Conservation Area or the setting of adjacent listed buildings and conservation areas.

**Heritage:** The development would result in the total loss of all non-listed buildings on the site with the exception of the partial retention of the façade of the Rosenfield Building. There would be partial demolition and alterations to Grade II Listed 29 Shudehill. This would have an unduly harmful impact on visual amenity.

The scale, massing, appearance of the proposal would have a harmful impact on the visual amenity and the character of the local area and would not successfully integrate into the local area

The level of demolition and the scale, massing and design of the proposal would not be acceptable on heritage and urban design grounds. The proposal would neither preserve nor enhance the Shudehill Conservation Area, the Grade II listed 29 Shudehill or the Grade II listed Victoria Buildings. It would not preserve or enhance the local distinctiveness and inherent character of the area. It is also considered that a clear and convincing justification for the level of harm as required by paragraph 200 of the NPPF has not been given

The regeneration could be delivered through a scheme that gives greater weight to the rich architectural heritage and character of the Shudehill Conservation Area, including the special interest of the Grade II listed 29 Shudehill, the Grade II listed Victoria Buildings and the non-designated 18-20 Dantzic Street, and makes for a sympathetic new addition to the city's skyline and streetscene through a high-quality, well-considered and contextually appropriate new design.

Harm to heritage assets would be less than substantial but at the higher end of this scale and would not on balance be outweighed by the economic, social and environmental public benefits of the scheme, in accordance with the provisions of paragraphs 189, 196, 197, 199, 200, 202 and 203 of the NPPF and sections 66 and 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990. The development would not accord with the provisions of S16, S66 and S72 of the Listed Building Act 1990 on relation to preservation and enhancement.

**Other matters** - The impact on daylight/sunlight, air quality, tv reception, noise and disturbance and wind conditions would be acceptable in the context of the site's location. 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 Member's consideration

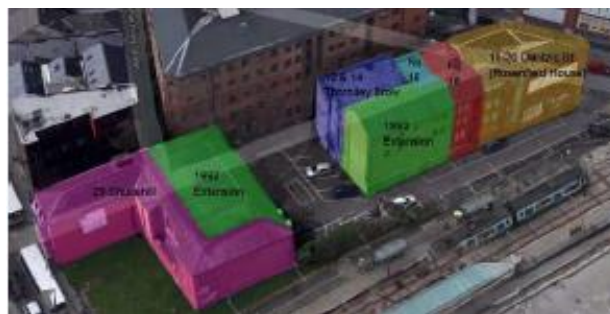
## **Background**

These applications were submitted in 2018. There have been ongoing discussions since then about potential amendments that could reduce the impact of the scheme on the Shudehill and Smithfield Conservation Areas, listed buildings on and adjacent to the site and non-designated heritage assets at the site. A revised scheme was submitted in July 2022. The application has been considered on that basis of that

revised scheme but the comments from consultees below and representations resulting from neighbour notification include comments on the original and above revised scheme.



Figure 1 - Existing Site Plan



## Description of Site

The site is broadly rectangular and measures 0.25ha. It is bounded by Shudehill, Dantzig Street, Thornily Grove and the Metrolink and adjoins the Shudehill Tramstop.

The development of Metrolink and the Shudehill Bus Interchange in the 1990s resulted in the loss of historic building fabric, altering the historic streetscape at Shudehill, Dantzig Street and Hanover Street, and replacing the small grain building and street patterns. The buildings on the site reflect the historic streetscape and the areas character prior to the redevelopment.

The site comprises a 28 space car park, overgrown scrub, hard surfacing and two built elements comprising 29 Shudehill and the group of buildings at 18-20 Dantzig Street including 12-18 Thornily Grove.

There are listed buildings nearby including Victoria Buildings (Dantzig Street), the Hare and Hounds (46 Shudehill), CIS Building (Miller Street), Holyoake House (Hanover Street), Redfern Building (Redfern Street) and New Century House, Hanover (and E-Block) and Old Bank Building (all Corporation Street). All of these buildings are Grade II Listed. The site is in the Shudehill Conservation Area and adjacent to the Smithfield Conservation Areas.





Figure 3: Conservation Area Plan. Illustrating the extent of the Shudehill Conservation area (yellow); Smithfield Conservation Area (purple) and Cathedral Conservation Area (green). The Shudehill Island site is within the red line boundary, with the Grade II listed building at 29 Shudehill shaded red. Source: MDC Conservation Area Mapping.



Figure 31: 1990 - A view taken from the CIS Tower, looking south-west across the recently cleared Snow Hill and Broadshaw Street, showing the remaining buildings in Amber Street to the far left corner. Note the backs and rear courtyard of numbers 31, 33 & 35 Shudehill, which are still joined to Number 29. This image was taken shortly before the rear extension to Number 29 was built over Wilds Court.

There are no residential properties adjacent to the site, but Victoria Buildings on Dantzig Street operates as 'The James' Aparthotel.



29 Shudehill is a 19<sup>th</sup> century Grade II Listed building. The building has been altered and extended in the 1950's and 1990's. The listed parts have a 'Z' floor plan arranged around the extension. The 19<sup>th</sup> century listed elements are 3 storeys with a hipped slate roof and a basement at the junction of Shudehill and Thornily Brow. The rest of the site including the extensions are 3 storeys. The 1990's extension has a part hipped part flat roof. Internally significant alterations took place in the 1950's.

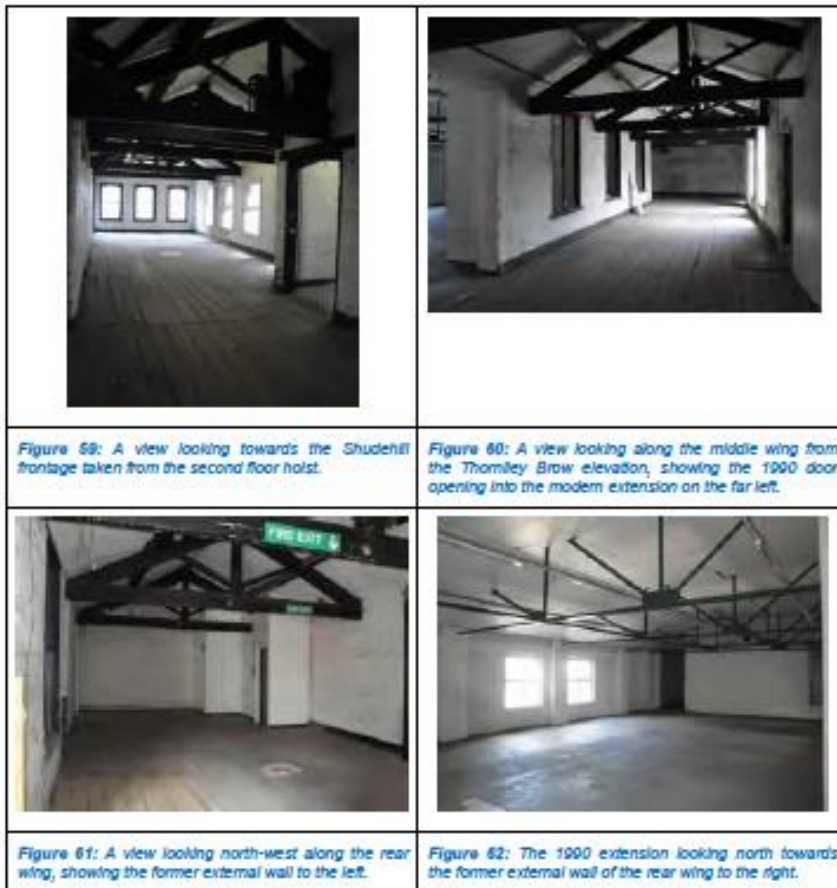
Although the building has been altered over time, internal features remain which are of high significance. These include the south east and west elevations which retain a number of original 1850's and 1873 features such as the cast-iron barley-twist plate glass window on the first floor, above which are three sash windows from the same date (south east). High level of surviving 1850's fabric (south west) are five remaining early sash windows being of considerable significance. Most windows though are later replacements and have no significance. The modern 1993 extension fronting the car park and Thorniley Brow, and the ground floor brickwork beneath the rendered sign is considered to be of no significance. The north-east rendered elevation at first and second floor level is considered to be of a low significance as it originally formed the dividing wall between two properties.

Internally features of high significance and of particular special interest include; the wing of the basement nearest Shudehill, including its timber beams which contain

some original and some early parts of the original structure; the exposed brick walls, ceiling structure and hoist to the front wing which fronts Shudehill, and part of the 1870s construction at ground floor; the early-Victorian brick walls, ceiling structure and later hoist to the front wing and large front, late-Victorian window at first floor; and the early-Victorian brick walls, ceiling structure and later hoist to the front wing, along with the three late-Victorian sash windows on the second floor.



Areas of considerable significance and special interest, but lower than the above include: in the basement, the altered middle, and north-west wings and their timber roof beams which form part of a coherent, principle feature of the building; the altered walls and ceiling structure to the middle wing as evidence of a clear development of the building's plan form; in the first floor, the altered late Victorian windows to much of Thorniley Brow, the late-Victorian staircase, Victorian floorboards and walls and ceiling structure; and to the second floor the walls to the middle wing (probably 1870s) and roof structure (c1880s/90s).



Areas of low and modest interest and no significance include the modern 1990's extension; the window in-fills, entrance frontage and modern staircase to the middle and rear wings; internal and external walls to rear wing fronting Shudehill Interchange; all modern replacement windows and the partially in-filled ground floor shop front which is a mid-20th Century alteration.



Surrounding demolitions of adjoining buildings as part of Metrolink has exposed areas of the façade which were never meant to be street facing which lie alongside the remains of adjoining buildings.

29 Shudehill is currently vacant.

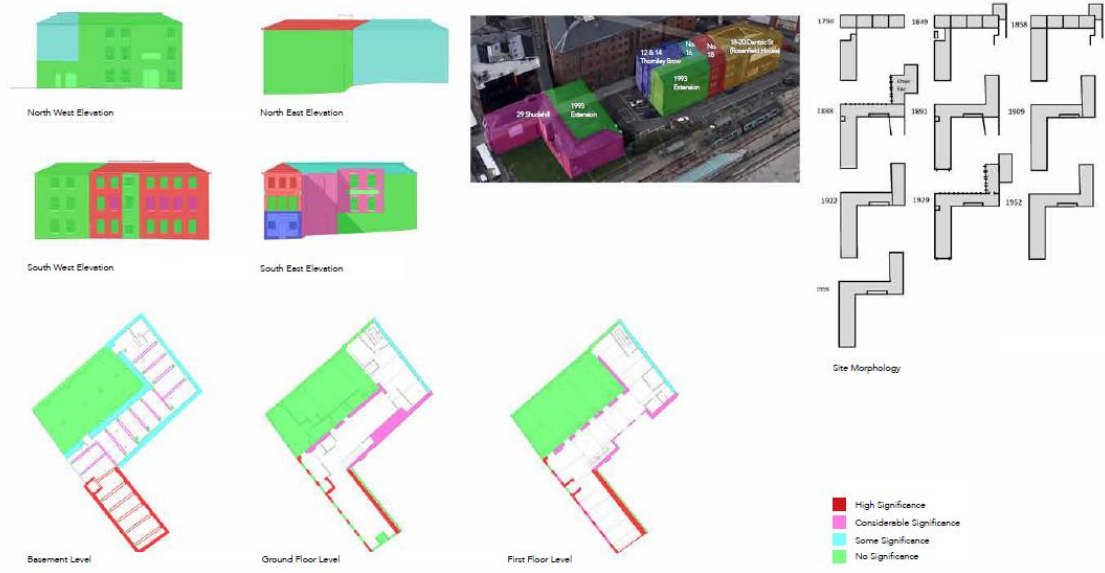
The group of buildings known as the former Rosenfield Buildings date from c 1873. They were unified into a single property between 1963 and 1967 when they were converted into a department store. The buildings have been heavily altered internally although the varying floor levels were maintained, with narrow passages connecting each individual unit. In 1970 a fire destroyed the top two floors of 12 & 14 Thornley Brow, which were subsequently removed. The group of buildings is now mostly vacant with some parts are in a poor state of repair.

Externally the buildings are notable for the streetscape value of the Dantzig Street frontage and the architectural and historical interest of the Thornily Brow and north east (Dantzig Place) elevations. However, the submitted heritage assessment considers these features to be of low significance (moderate interest)

Internally there is a panelled vestibule and original cornicing (ground floor 18-20 Dantzig St); original sash windows; and a Victorian Fire escape and hoist (altered) (18 Thornily Brow). However due changes of use and alterations from the 1960's onwards, including those resulting from the fire it is considered that internally the buildings are of low significance and moderate interest.

It is considered due to its local townscape value that 18-20 Dantzig Street is a non designated Heritage Asset with a degree of significance that merits consideration in planning decisions. It is not a formally designated heritage asset.

There are 27 units for small businesses in The Rosenfield Building, 11 of which are occupied including a kiosk at the junction of Dantzig Street and Thornily Grove.



**Site significance (from submitted Heritage Statement)**

The applicant has submitted a Relocation Strategy for tenants setting out measures that they would support their relocation if the development is approved.

The Site is close to NOMA, New Cross and the Northern Gateway which are major City Council regeneration priorities. The multimodal Shudehill transport interchange is directly opposite the site. This is a key transport hub providing Metrolink and bus

linkages and a multi-storey carpark. It fronts onto Shudehill and is at a key nodal point.

The application site is in a poor condition is a blight on the area and does not present a positive arrival experience.

The site contains a listed building and forms a key edge to the Shudehill Conservation Area but has a semi derelict appearance. The Listed 29 Shudehill appears to be in a generally good state of repair. The group of former warehouses to the north of the site are underutilised and show signs of deterioration. The overall impression of the site is further compromised by the large-scale intervention necessitated by Metrolink.

Much of the surrounding area has been improved through comprehensive regeneration. Many of the listed building in the Noma estate has been refurbished, with new uses introduced. New development has progressed including with a 17-storey office development at Back Turner Street on the opposite side of Shudehill (ref no 126638/FO/2020).

The NOMA SRF seeks to create a commercially led, mixed use destination. To date, 807,000 sq. ft of office space has been delivered with 457,000 sq. ft in the historic estate, with a further 836,000 sq. ft on site or in the planning process. The parts of the estate near to the application site to the south west of Miller Street are mainly offices. The refurbishment of Dantzic and Hanover Buildings and that proposed at Redfern and Old Bank Buildings and the development of the Indigo Hotel adjacent to Victoria Station demonstrate the level of investment that are taking place in the area.

Other development activity in the area includes 520 homes in 21 and 26 storey buildings at Victoria Station (121195/FO/2018), 373 homes in a 31 storey building at Swan House (121380/FO/2018), an 11 storey office building (4 Angel Square) on Corporation Street (123437/FO/2019) and the completed Angel Gardens on Miller Street with 458 homes in a part 7 storey, part 34 storey building.

To the west is the Printworks, a major leisure destination and Victoria Buildings on Dantzic Street which contains Serviced Apartments. The Northern Quarter to the east includes digital, media and technology-based companies; creative and cultural industries; an established residential population, offices, hotels and serviced apartments, retail units and independent bars and restaurants.

The site is close to the New Cross Neighbourhood Development Framework (NDF) where significant redevelopment has been completed and is ongoing.

The New Cross and Noma areas are therefore already undergoing major transformation, which are seeing more people living and working in the area. Within this emerging context the application site can therefore be viewed a key site which should mediate in terms of development density, use and improved street level environment between the City Centre Core and the emerging expansion of the City Centre neighbourhoods into adjacent regeneration areas. As detailed above due to its current condition the site is not realising its potential in this respect.

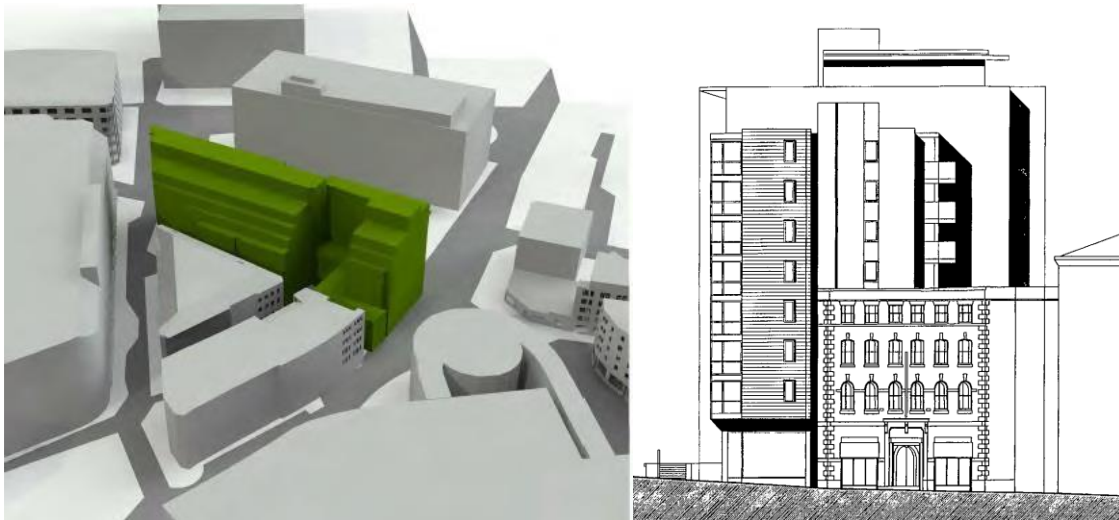
There are a mix of buildings heights around the site with 1 to 2 storeys on Shudehill, the Shudehill Interchange is 7 storeys, and the CIS Tower is 26 storeys. Heights on Shudehill and Dantzic Street are between 2 and 6 storeys but buildings on Dantzic Street have larger footprints and mass with larger floor to ceiling heights.

The urban grain in parts of the Smithfield Conservation Area is varied. It is finer adjacent to High Street and in the Northern Quarter with its grid of intersecting streets. Buildings around High Street closest to the site are between 2 and 7 storeys and predominantly 3 and 4 storeys. Beyond this, heights increase, and the west part of High Street is dominated by the 7 storey Arndale Centre and multi storey car park.

The Site is in Flood Zone 1 which means there is less than a 0.1% (1 in 1000) chance of flooding occurring each year.

Consents have previously been granted on the site, the most recent of which was for a development comprising 98 flats, commercial/retail use and 41 parking spaces (ref no's 066301/FO/CITY1/02 and 066300/LO/CITY1/02) approved on 4 December 2002 which gave the appearance of different buildings with heights varying between 3 and 7 storeys. This development would have retained the facades of the Rosenfield House to Dantzic Street and Thornily Brow.

Those consents have now expired.



## Description of Development

Planning Consent is sought for the following:

- Demolition of all non-listed buildings with the exception of the partial retention of the Rosenfield Building façade at the junction of Dantzic Street and Thorniley Brow;



Extent of Facade to be retained

- Partial demolition and alterations to the Grade II Listed 29 Shudehill;
- Erection of a part 2, part 7, part 8, and part 19 storey building providing 175 homes including 58 x 1 Bed (26 x 1 bed 1 person and 32 x 1 bed 2 person) 106 x 2 Bed (27 x 1bed 1 person, 31x1 bed 2 person, 42 x 2 bed 3 person, 64 x 2 bed 4 person, 9 x 3 bed 5 person and 2x3 bed 6 person) with flexible ground floor commercial floorspace; and
- New public realm, cycle parking, and other associated works.

The ground floor would include commercial units, the reception, bin and cycle storage and a substation.

The development would appear as 4 blocks which increase in height from Shudehill to Dantzic Street comprising, the 'Shudehill' block (8 storeys) at the junction of Shudehill and the Interchange next to next to an 'infill' building (3 storeys) linking the new elements to the Listed Building, the 'Middle' block (7 storeys) between the Interchange and Thornily Brow and the 'Dantzic' block (19 storeys) facing onto Dantzic Street between the Interchange and Thornily Brow. There would be an overhang above level 2 of the 'Shudehill' and 'Dantzic' blocks facing the interchange. At ground floor level there would be double height glazed frontages to the commercial units and residential entrances to provide scale to the Shudehill, Interchange and Dantzic Street frontages.



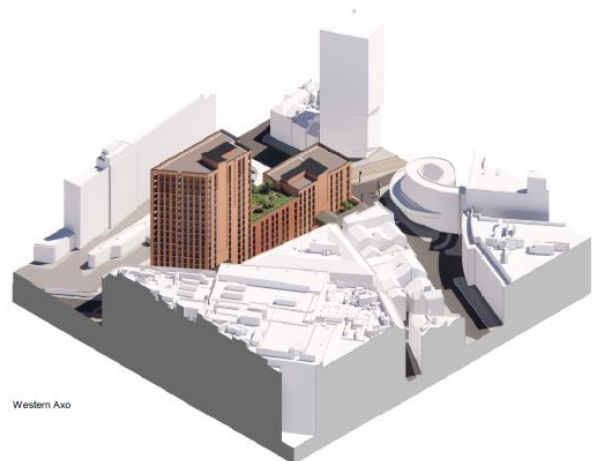
Northern Axo



Eastern Axo



Southern Axo



Western Axo

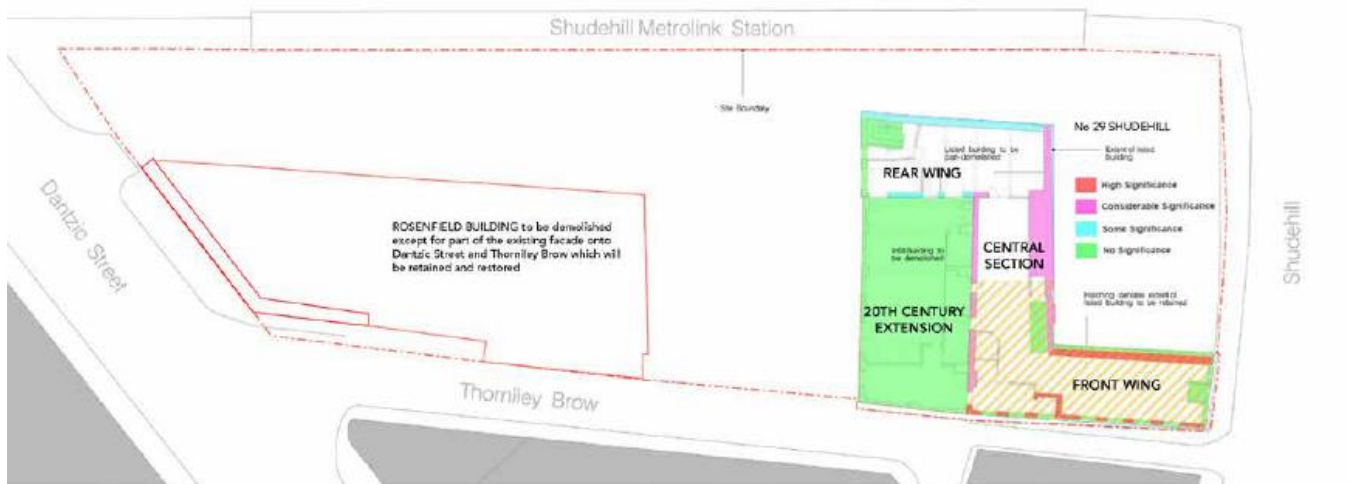
### Axonometric views of proposal

Listed Building Consent is sought for works to 29 Shudehill comprising partial demolition and internal and external alterations including the restoration of the remaining elements to facilitate its integration into the development. The front wing and part of the central section would be restored and converted with the remainder of this section and rear wing demolished. The structural works would repair and restore the original rear wall to the front wing.

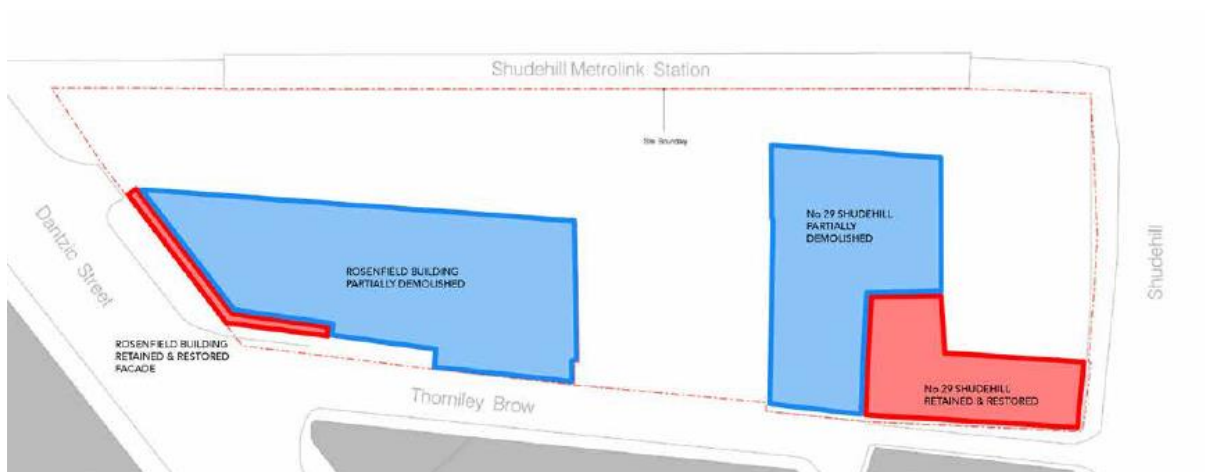
The proposals to the listed building would include:

- The front wing facing Shudehill and Thorniley Brow would be retained and fully restored to preserve and safeguard this section of the building.
- The central section, from Thorniley Brow and parallel to Shudehill would be part retained and part dismantled. The extent of demolition would enable the preservation of an unmodified historical truss to the front section of the building;
- 1950's and 1990's extensions to be demolished;





Detail of parts of the existing buildings on the site for retention (the 'Front Wing' hatched orange) and the façade of the Rosenfield Building (18-20 Dantzig Street and Thorniley Brow).



**Site Demolition and retention**

The submission sets out how the feasibility of retaining the existing buildings has been explored within an Options Assessment. This details 6 options which have been considered alongside an assessment of significance of the heritage assets, the structural qualities of the existing buildings, and the viability and delivery of the various options. It concludes that it would not be viable to retain and redevelop the existing buildings and the proposal has been submitted as the optimum viable use.

The new build would face onto Shudehill, the Transport Interchange, and Dantzig Street and would have ground floor active frontages. A further elevation described in the application as secondary, would face Thorniley Brow where servicing and refuse collection would take place. The building would be physically connected to the refurbished 29 Shudehill by the new link building on Shudehill. Residential entrances would be located on Dantzig Street and Shudehill.

Three units on floor 1 will have terraces and there would be a roof garden on the 'middle' building at level 7 and the upper floor of the Shudehill building.

The new build facades would be a mix of brickwork and glazing. Window frames and panelling would be polyester powder coated (PPC) metal. Different coloured bricks would be used to break the appearance down into different elements. The 'Shudehill' and 'Dantzig' buildings would be a red buff brick, the 'Middle' building and base to 'Shudehill' and 'Dantzig' would be in a multi red coloured brick and the 'Infill' would be in a richer red brick. The top three floors of the 'Dantzig' building would be clad in PPC aluminium and is intended to be read as a 'crown', Balustrades would be frameless glass with a fixed PPC handrail.

Articulation would be provided through regular window openings and bays, brick detailing and variations in the sizes and forms of the window reveals. The depth and architectural detailing would be more pronounced on the Shudehill and Dantzig Street elevations. Red brick soldier coursed bands would provide a contrast on the red buff blocks and further detailing would be provided through varying bonding patterns. The soldier course detailing would be a brick slip. Window depths would vary on the Shudehill and Dantzig Street facing elevations this would have a staggered set back of 440mm, approximately 2 brick depth, and on the remaining elevations it would be less than a brick depth.

Ventilation would be provided through a PPC louvred panel above the glazing in window openings. There would be inset balconies at level 9 and above at the corners of the 'Dantzig' block.

The apartments would comply with or exceed the Residential Quality Guidance (RQG) space standards. Many apartments could be adapted to meet the changing needs of occupants over time, including older and disabled people.

At its highest point the building would be 60.6m above ground level.

There would be some localised increases in pavement widths around the site but the pavement on Thornily Brow would remain as existing.



Provision has been included for a ground floor level air inlet louvre and a kitchen extract riser such that a restaurant catering kitchen could be incorporated by a future tenant for each unit.

There would be 90 cycle spaces on the ground floor accessed from the secure courtyard on Thornily Brow.

Car parking would not be provided, and the applicants has had initial discussions with nearby parking operators who have indicated that contract parking could be available. A Framework Travel Plan has been submitted in support of the application. There would be no on site parking for disabled people. There are 2 on-street disabled parking bays on High Street and 3 on Brick Street. Two of the closest public car parks, Manchester Arndale and Manchester Printworks have 63 and 40 disabled bays, respectively.

There would be a refuse store on each residential floor and a one on the ground floor. Residents would segregate recycling and general waste in dedicated core rooms on each floor in line with MCC requirements. Recyclables would be segregated into separate bins for dry recycling, paper and organic wastes. General waste would be disposed through chutes to the main core room. Recyclable materials would be transferred by the facilities management (FM) team to the general waste storage facility on the ground floor. The FM team would transfer general waste from the core room in the Shudehill Building to the main core room in the Dantzig Building and use the chutes to send this through to the ground floor.

The refuse storage would comply with 'GD 04 Waste Storage and Collection Guidance for New Developments Version: 6.00' satisfying the requirement for 0.43sqm of space for each apartment.

There would be a refuse store on the ground floor for the commercial units. A detailed refuse strategy for the units would be produced once tenants are identified.

A designated courtyard for management of servicing would be located off Thornily Brow.

The apartments would be sold on the open market and a dedicated management company would be established. The applicants have stated that it is too early to confirm the exact details of a management regime, however, the building has been designed to facilitate 24 hour on-site security / management if required.

In support of the application the applicants have stated the following

- The proposals would deliver 175 high-quality homes, which will meet the necessary design standards and help in delivering strategic housing targets. The provision of ground floor commercial space would help to animate the area, provide new jobs, and help improve safety in the area;
- The proposal would complete the built form and public realm around Shudehill Transport Interchange and would act as a landmark for the area and substantially improve the sense of place in and around the transport hub;

- The site currently adds little to the environmental quality of the area and is in need of redevelopment. The layout responds to the site geometries, aspects, and focal points of the area, resulting in sensitive alternations to 29 Shudehill, a contextual link building, and a new building which is massed to reflect the wider mix of urban forms;
- The scale and massing of development seeks to strike a balance between the existing historic context of the adjacent Northern Quarter, which predominantly consists of lower-rise buildings, a number of which define the street-scene from Shudehill, whilst also providing a taller, landmark element that responds to the emerging regeneration context;
- The appearance aims to relate to its immediate context and in more distant vistas. The elevations consist of a mixture of the materials, including red brick to ensure the development fits with the wider context, and strike a balance between the historic buildings and the emerging regeneration context;
- The proposal is well-designed, highly sustainable, credible and deliverable and has been influenced by extensive consultation over a number of years prior to the planning submission;
- The development will have a number of positive economic impacts, including:
  - Supporting 198 FTE direct and indirect construction jobs, with a GVA associated with these jobs of £8.3m per annum;
  - Expenditure generated by 420 new residents estimated to be £3.2m, this will support local businesses and create an estimated 23 local jobs. The GVA associated with jobs supported by expenditure is circa £789,000 per annum;
  - Generation of an estimated £328,000 in Council Tax income for Manchester City Council per year;
  - Creation of new high-quality commercial space, replacing the existing poor-quality space. This will increase the overall employment density of the Site, creating the potential for a further 22 net direct and indirect jobs, with a GVA of £767,000 per year
- Whilst a non-designated heritage asset would be demolished and a listed building altered, the proposal would on balance constitute “less than substantial harm”, would enhance the character and appearance of the Shudehill Conservation Area and would have a neutral or positive impact on the settings of nearby listed buildings. The proposal would create significant public benefits (economic, social and environmental) that would outweigh any such harm to heritage assets,

This planning application has been supported by the following information

•Planning Statement; •Tall Building Statement; •Statement of Community Involvement; •Air Quality Assessment; •Archaeological Assessment;•Construction Methodology Report;•Crime Impact Assessment; •Design and Access Statement; •Ecological Survey Report; •Energy and Environmental Statement;•Ground Conditions Report;•Outline Scope of Repair;•Structural Statement;•Transport Statement;•Travel Plan;•TV Reception Impact Study;•Ventilation Strategy; •Waste Management Strategy; •Feasibility Report; and, Viability Assessment.

In addition to the above reports, the planning application is also accompanied by an Environmental Statement (ES) which includes other documents

- Introduction; Heritage Assessment; Noise and Vibration; Sunlight, Daylight and Overshadowing Assessment –Townscape and Visual Impact Assessment
- Wind and Microclimate Assessment;Socio Economic Impacts; Cumulative Impacts;Non-Technical Summary

The Structural Report submitted in support of the application provides a description to the structural form and condition of No 29 Shudehill and the Rosenfield Building and makes the case that there are constraints that inhibit the incorporation of both buildings in their current form, within a viable site redevelopment proposal.

Design options for redevelopment of the Rosenfield building have been considered, including a potential façade retention to two of the principal elevations, which have been discounted on grounds of technical appraisal and economic viability.

## Consultations

**Publicity** – The occupiers of adjacent premises have been notified and they have been advertised in the local press as a development accompanied by an Environmental Impact Assessment, a major development, affecting a listed building and the setting of a conservation area (121195); and affecting a listed building (121196). Site notices have been placed adjacent to the application site and the occupiers of adjacent premises have been notified about the application. A further round of notification has taken place due to the amendments to the scheme as set out earlier in this Report (August 2022). 71 letters of objection have been received.

The comments from objectors relate to concerns about the use, design and impact on heritage assets impact on amenity including on future residents from existing noise sources (agent of change), servicing and highways impacts, construction impacts and sunlight and daylight impacts.

## Design and Impact on Heritage Assets

- The building is part of the heritage of this area. If all of these old building are knocked down to make way for high rise flats and apartment blocks, the city will lose its history and the character of the area. Heritage needs to be preserved.
- Regeneration is also about restoration and keeping hold of some of Manchester City Centres great history within these Conservation Areas not

just new development and demolition. You are gutting the area and turning it into just another bland place.

- The tower element of this proposal would upset the streetscape from Dantzic Street and will create an eyesore.
- The development as yet another example of a purely commercially led development with no consideration or sensitivity towards the heritage and aesthetic of the area.
- The premises can be reused rather than demolished. Heritage sites provide context of the history of the city. The reasons why so many are being lost will remain opaque but recycle classic and robust places rather than lose to bland, throwaway eyesores.
- A building of this height compared with neighbouring buildings should utilise light reflecting colours and materials rather than absorbing materials like brick.
- The proposed design is of poor architectural merit and looks like a 1960s council block an urgent redesign is needed. How about a modern interpretation of a Victorian mill given the industrial history of the site.
- The unacceptable impact on surrounding listed buildings: The scale of this development will be out of keeping with the Shudehill conservation area. An urgent rethink is needed on the design and scale of this building.
- Impact on a conservation area: The proposal is out it at odds with several Grade II Listed buildings.
- Demolition of buildings that protect the curtilage of listed assets: An urgent rethink is needed on the demolition plan of this site. There are some really good examples of Victorian warehouse architecture that will be lost forever to be replaced by homogeny and buildings of uninspiring design.
- The scale & proportions of this development, with particular reference to the height is totally disproportional to not only the scale of the Listed Buildings it abuts but also to the large-scale buildings including the likes of the bus terminal or even the Printworks. The scale & proportions of the buildings within the Northern Quarter & the areas surrounding it should be maintained.
- The building reference in the section 2.16 of the tall buildings report, being the Salboy / Domis development on Shudehill seems to be being used as justification to go to this height. At the time of planning being granted for the Salboy development a primary concern for the residents was that the size of the building would be used to justify ever taller buildings.
- Whilst the buildings are in need of external decorative updating there is no evidence of structural concerns that should see the building demolished.

- The site that is commonly used within guided tours of the area and the building is regularly photographed and therefore the site was obviously a part of past activities that locals and visitors do find of great interest so how can the heritage report the building hold's low historical significance?:
- This demolition shows the council for what it really is - cash grabbing. With no interest or consideration of heritage or aesthetics.
- The design appears to match the Arndale Centre nearby is this part of the plan so that it blends in with the monstrosity that is the Arndale Centre derided by everyone for its architecture blot on the Manchester landscape.
- You are destroying the history of Manchester and people will stop visiting the city if you make it look like every other city.
- I object to this and the continuous destruction of Manchester industrial past. The new building won't last 50 years, you will regret this decision. Let the building be renovated and last a thousand years.
- The Northern Quarter/Dantzic St/Angel Sq area is one of Manchester's heritage crown jewels. It has a uniqueness unrivalled in the North and further afield, it is uniquely Mancunian in its nature. The proposed development is bland, boring, thoughtless and looks like most other characterless developments springing up in the city centre at the moment.
- The height is totally disproportional to not only the scale of the Listed Buildings it abuts but also to the large-scale buildings including the likes of the bus terminal or even the Printworks. The scale & proportions of the buildings within the Northern Quarter & the areas surrounding it should be maintained.
- The loss of the Victorian buildings would be detrimental to the conservation area and the setting and context of the listed buildings. The proposal would harm the industrial heritage of Manchester at a time when its distinctive nature is increasingly important to the authenticity, character, attractiveness and therefore future success of the city.
- The unacceptable impact on surrounding listed buildings: The scale of this development will put it at odds with several Grade II Listed buildings and it is out of keeping with the conservation area.
- Reinvest and adapt these beautiful characterful pieces of our history. The character of the area should be preserved, and this new development will not achieve that.
- The Northern Quarter attracts people because so far it has largely been managed to preserve a historic feel. Soon that'll be gone if the Council continues just to follow the money and give in to any developer's proposals.

- There are many cities in Europe where they have modernised the city centre but also did a lot of work to keep its history and original architecture. To just demolish these buildings instead of renovate them is shocking and irresponsible.
- The existing buildings are spectacular and beautiful, and a city with a more progressive and proactive council would have sought to preserve them and pursued development plans that maintained the character of these buildings - therefore retaining the essence of what makes Manchester architectural distinctive.
- Invest in and restore these beautiful buildings rather than dilute our city with bland meaningless structures. I can see no reason why this building cannot be renovated instead of being demolished. Manchester's history and identity are being erased. Change isn't always for the better.
- Our industrial history is being demolished in favour of glass boxes to spin a quick buck for the buy to let investors who sit back and do not contribute to the community they have bought into.
- These developments give nothing back to the community. Developers make money out of them, but do not redo the roads around they used and destroyed.
- Manchester councillors need to appreciate the heritage of Manchester whether the building is listed or not. We do not want any more bland unaffordable apartments, keep the history alive and people will travel to see it.
- There is plenty of land available for development on the outskirts of the city centre and this scheme is at odds with the nature of the Northern Quarter.
- The proposed buildings for the site are devoid of any architectural merit & is a disgrace to the area. The buildings clearly do not fit with the aesthetic of the Northern Quarter of which this is a key boundary building
- Why are you ripping to pieces our gorgeous historic treasures, to demolish these buildings is vandalism. The practice of allowing developers to allow them to rot to the point of no return then granting planning permission needs to end.
- We should be reusing the buildings to celebrate our industrial history. Manchester played such an important part in the industrial revolution and all the evidence is slowly disappearing.

### **Noise Issues and Agent of Change**

- During the determination of recent planning applications, it has been noted that the Council's Environmental Health team have raised the potential for noise breakout from within commercial / entertainment uses in the vicinity of



the application site which in their view could have the potential to impact upon the amenity of residents in the proximity. The proposals would result in the introduction of a significant, additional quantum of residential properties in a location closer to a key access point into such adjacent uses this contrasts with the current situation, whereby the closest residential properties are located on Withy Grove, and are far closer to other more significant sources of noise generation (e.g. Roxy Ballroom, Withy Grove and Shudehill). The potential introduction of a significant quantum of residential properties in proximity to such uses causes concern insofar as it could result in additional noise amenity concerns being raised at a greater instance in future by Environmental Health, and in turn this may jeopardise the successful long-term operation of adjacent commercial and entertainment uses.

- Whilst it is clear that the Council will support high-density development in the City Centre, any development must specifically recognise the need to respect and support the range of uses in the City Centre. That the City Centre will be the focus for 'retail, leisure, entertainment, cultural and tourism facilities' in the City is set out at Core Strategy Policy CC1. The key role such facilities play in supporting the function of the City, and Regional Centre, is emphasised at Paragraph 8.16, which states that whilst housing will be supported in the Regional Centre:

*'It will be important that this complements the centre's overarching economic character now and, in the future,'*

It is also important to note Paragraph 187 of the National Planning Policy Framework ('the NPPF') which states that:

*'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'*

Given the above any such development must not prohibit the successful future use and enjoyment of the adjacent commercial / entertainment uses, or prejudice the delivery of wider economic objectives, and must therefore be complimentary to the existing range of uses in this part of the City Centre. In the context of both the concerns raised by Environmental Health, and Paragraph 187 of the NPPF, there is clearly a need to ensure that the proposed development makes use of suitable mitigation to ensure that no adverse impacts upon either future residents, or indeed on the long-term successful operation of Printworks.

Accordingly, it is noted that the 2018 application was submitted with a Noise Assessment Report (Azymuth Acoustics, ref: A1579 Rev A) that formed part

of the Environmental Statement. This Report made a number of recommendations, in respect of glazing and ventilation, in the context of anticipated noise generating sources surrounding the application site. In respect of units that form the Dantzic Street elevation of the proposal, these recommendations include the provision of natural ventilation (via the opening of windows) and the provision of standard sealed double glazing. However, it is noted that at other locations, such as the Shudehill and Balloon Street/Metrolink elevations, a combination of full mechanical ventilation and enhanced background ventilation, alongside laminated acoustic double glazing is proposed.

Given the concerns referred to above that have been raised by the Council's Environmental Health team on previous application there are concerns that the arrangement as proposed along the Dantzic Street elevation does not accord with Paragraph 187 of the NPPF. The proposed ventilation and glazing arrangement is considered likely to exacerbate the residential amenity concerns that have been raised by the Environmental Health team in respect of recent applications, and in so doing may reduce the potential use and operation of the adjacent commercial / entertainment uses. In the context of comments from the Council's Environmental Health team, we would ask that the applicant be asked to reconsider the ventilation and glazing arrangement on this elevation so that it replicates that proposed at other elevations of the proposal and ensures that the new development can be integrated effectively with existing businesses.

### **Servicing and Highways Impacts**

- There are concerns about the potential impacts upon traffic movements on Dantzic Street that the increased concentration and greater usage of the existing access arrangements on Dantzic Street. We note that on Page 29 of the submitted Transport Statement it states that:

*'Additional deliveries to the development are likely (sic) be incorporated into existing rounds' (Our emphasis)*

*and that:*

*'It is therefore unlikely that movements of servicing vehicles generated by the proposed development will have any significant impact on the local highway network'.*

In the context of the significantly greater quantum of development that is proposed on the site over that which is there currently, it seems unrealistic to expect there to be no greater usage of the existing service bays over the level of current use. We also note that the Transport Statement acknowledges the potential for increased deliveries, only noting that additional deliveries are 'likely' to be incorporated into existing rounds. The applicant should therefore clarify whether the future servicing of the proposed development has the potential to either negatively impact upon the successful operation of other uses in the vicinity, by virtue of limiting the accessibility of the complex to

visitors or impeding upon servicing and deliveries to it. The applicant should also be asked to provide clarification around the potential increase in usage of existing servicing locations, on Dantzic Street in particular, in order to confirm that the proposed servicing arrangement is sufficient to serve the proposed development.

### **Construction Impacts**

- The construction works are considered to have the potential to impact upon the successful operation of adjacent businesses, and along Dantzic Street in particular, during the period in which these will be completed. Indeed, we have reviewed the submitted Construction Methodology Report (Civic Engineers, ref: 646-02 Rev P05) and note that impacts upon businesses during the construction phase are not mentioned. However, the Report (at Section 5.4 'Site Access') does note that the site entrance will be via Dantzic Street, that there may be temporary footpaths and stopping up of existing to provide a 'safe exclusion zone and working space' around the site. It is requested that consideration be given by the applicant to the following points:
  - The time and duration of the proposed construction works. These should be scheduled to minimise any impacts upon the operation of adjacent businesses; and,
  - Ensuring that potential road and footpath closures are discussed at the earliest opportunity with adjacent businesses to ensure that any potential disruption to the operation of the complex is minimised.
- The traffic in and around this area is already very congested so the addition of 361 apartment blocks, each potentially having 2 cars will bring absolute chaos to, what is already, a busy area where the roads and access routes are at capacity.

### **Impacts on Sunlight and Daylight**

- The proposed development will have a major detrimental effect on our building and in particular on our tenants in terms of a significant loss of natural light. The height and proximity of the proposed development will cast a permanent shadow over our building all year round.

### **Impact on Amenity**

- The proposed height may create wind tunnel.

### **Other**

- The new plan has a covered area and this would be an area where homeless and drug takers could congregate especially given the area it is in;
- Antisocial behaviour within the area is due to the social impact from the local clubs and bars within the area not the condition of these buildings.

- The proposals do not mention the small businesses currently operating out of 12 – 22 Thorniley Brow ('The Thorniley Studios') one of the buildings that is due to be knocked down as part of this planning application who have not been made aware of the application by the applicant. The studios house many creative and artistic professionals, who will struggle to find alternative affordable, creative office spaces within the city, of this nature. It is of great importance that Manchester City Council continue to strive in helping independent businesses to succeed within the area. This is what has made Manchester great in the past.
- Another' high rise block of retail/apartment units offers no real additional value to the area, just another set of unmanaged units for air b'n'b weekend visitors to use at the weekend.

A letter has also been received from **Save Britain's Heritage**

The Shudehill Conservation Area, is a multi-faceted and fine-grained area between Manchester's retail and fabric districts, that is under se development pressure. 29 Shudehill, is a grade II listed 19th century building with a full-width first floor window. Pevsner highlights this building in his book on "Lancashire: Manchester and the South-East". At the northern end of the site is a Victorian warehouse with stone quoins and string course, which retains some attractive period features such as the cast-iron fire escape. The building is a non-designated heritage asset. Adjacent are the grade II listed Italianate Victoria Buildings.

29 Shudehill has evolved over more than a century. The partial demolition would damage its integrity and undermine its legibility. It would be beneficial to retain the Victorian warehouse on Dantzig Street and integrate it into the new scheme.

The proposed tall element would affect the setting of the adjacent grade II listed Victoria Building. Generally, the tall element appears overbearing in the much lower historic context of the conservation area. The applicant's heritage statement demonstrates the scheme's harmful impact. In views 5 and 7, its bulk and height overwhelm the adjacent listed building (Victoria Buildings). View 6 along Shudehill shows the harmful impact on the Shudehill Conservation Area, with the tall element dwarfing the low-rise historic buildings around it.

There are compelling reasons to refuse this application supported by local and national planning policy. It affects the setting of listed buildings and the conservation area and would lead to the total loss of a non-designated heritage asset.

Any harm caused must be justified in light of the requirements of the Planning Act 1990, the NPPF (2019) and Manchester City Council's own guidance.

National planning policy (NPPF 2018) usefully details the role of heritage assets in economic vitality, the enhancement of local character and distinctiveness, and decision making when a high degree of harm to heritage assets is proposed (paragraphs 192 and 196). Local authorities are also required to consider significance and setting, and to ensure that harmful impact of proposals is mitigated (paragraph 190), and paragraph 194 states – "Any harm to, or loss of, the

significance of a designated heritage asset, from its alteration or destruction, or from development within its setting, should require clear and convincing justification.” We consider that the potential public benefits would not outweigh the harm caused by this development. The public benefits could be delivered by a proposal that is significantly less harmful to surrounding heritage assets. The ‘balanced judgment’ required of the local planning authority under para 197 of the NPPF, should weigh the scale of any harm against the significance of the heritage asset. In this case, the judgment involves the total loss of the asset, which as stated in the applicant’s heritage statement is a non-designated heritage asset, which clearly weighs strongly in favour of rejecting the planning application.

We also note the section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which demands that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area in determining planning applications.

Manchester’s Local Plan includes policy CC9: Design and heritage. In our opinion, the proposal does not “preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments”.

SAVE considers this proposal is contrary to local and national planning policy and recommends that this application be refused. The proposed development would harm the special character of the conservation area and lead to the loss of an undesignated heritage asset.

**Manchester Conservation Area and Historic Buildings Panel** – felt that the resolution of the tram stop into the space is very poor and creates a poor public space and public realm that leads to an odd overhang. They suggested that more space would be required in front of the building to make this a successful space.

The design above ground level at Shudehill looked acceptable but the shop fronts need to be higher quality. The sloping shop front is an awkward detail to resolve. The development would be inappropriate as it ignores key characteristics of the conservation area, including buildings of quite similar height buildings.

The taller building is not needed to mark the transport interchange. The proposal would dominate the surrounding buildings and affect the setting of the grade II listed Victoria Buildings. The tower should be no higher than Victoria Buildings, and the existing building retained as it makes more of a contribution to the area than the proposal.

Long distance views of the tower would be poor as is its design quality. The lower rise sections are better but did not translate well when repeated into the higher elements. They were not convinced by the different coloured brickwork.

The proposals are poorly designed, rather undistinguished and bland, and as a whole did not preserve or enhance the conservation area.

**Statutory Consultees – 2 rounds of consultation have taken place the latest in August 2022.**

**Historic England-** Have concerns on heritage grounds and do not support the proposals. They note that:

- The Shudehill area dates back to the Medieval period and began to develop a fine-grain, commercial character from the mid-18th century, which can still be seen along Withy Grove and Shudehill today.
- To the west and north of the conservation area are former warehouse and office buildings of a larger scale and footprint, notably the former co-operative estate and Victoria Buildings (Grade II).
- The site occupies a significant footprint of the conservation area and is prominent in the townscape. The Rosenfield building and 29 Shudehill (Grade II listed), illustrate how the area developed over time as well as its distinctive architectural character.
- The warehouse character shared by the Rosenfield Building and Victoria Buildings on Dantzic Street, is particularly strong, and contributes to a coherent and locally distinctive townscape.
- The development of the transport infrastructure and the Printworks disrupted the historic grain and streetscape. The buildings on the site have been altered and contain areas of lesser significance - in particular, 20th century extensions and alterations. The demolition of surrounding buildings has led to a fragmented site with blank elevations and some awkward spaces. The fragmented nature of the site, and its importance and prominence in the conservation area, means that it would be possible to deliver considerable heritage and public benefits. They welcome the link to the Metro station and the intention to make good the appearance of the site. However, the proposal is very harmful from a historic environment perspective.

The amount of demolition at 29 Shudehill, including areas of considerable significance, would be harmful to the listed building and conservation area. The demolition of the Rosenfield Building would remove unlisted historic buildings which contribute to the warehouse character of the conservation area and would harm the significance, character and appearance of the conservation area.

The harmful impact of the loss of historic buildings would be compounded by the form, scale and design of the proposed new buildings on site. In a conservation area characterised by a fine, informal grain of 3-4 storeys in the south, to the larger (5-6 storey) and more formal architecture to the north, the 7, 8 & 19 storey proposal and heavy massing would not reflect the character and appearance of the conservation area. The insensitive relationship with 29 Shudehill, caused by the proposed height and mass, would cause harm. The impact on the setting of the grade II listed buildings adjoining the site would have to be assessed by the Council and its conservation team.

Treating the whole site with essentially one architectural approach, with just a token change of alignment and materials at its centre, would result in a building of monolithic scale at odds with the grain of the area. The scheme has sought to

develop some relationship with its surroundings, through the grounding of the masonry and window hierarchy, but it lacks conviction evidenced by the poor articulation to corners, a characteristic local feature; the lack of cornices and weak termination of the elevations; and the choice of a buff brick, which has no historic precedent in the conservation area.

The proposal would cause a high level of harm to the significance and character of the Shudehill conservation area, and a moderate to high level of harm to 29 Shudehill.

The conservation of the historic environment plays a key role in sustainable development paragraph 8 of the National Planning Policy Framework (NPPF) and that chapter 16 details the key policies for achieving sustainable development by conserving and enhancing the significance of heritage assets. This makes clear that any harm requires clear and convincing justification and would, at minimum, need to be demonstrably outweighed by public benefits if to be considered acceptable (NPPF 194 & 196). The close relationship between good design and the conservation of the historic environment is also clearly expressed in paragraphs 127, which stresses that planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development which fails to take the opportunities available to improve the character and quality of an area (NPPF 130).

Noting that the height of the scheme was increased during pre-application negotiations and there have been limited changes to the architectural approach, despite their extensive advice, they do not believe that it is evident that special regard, nor great weight, has been given to the conservation of the historic environment in line with paragraph 193 of the NPPF and Sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

They note that a viability assessment has been provided to justify the proposals and consider it necessary for the Council to assess this information. They note that the site has been within the same ownership for some time rather than speculatively purchased at a high price for re-development and that other similar schemes nearby have recently been proposed at a much lower height and density. They therefore remain unconvinced a case can be made demonstrating that such a high level of harm could be outweighed by public benefits (NPPF 196) nor that public benefits could not be achieved by a less intensive, more sensitive scheme.

Following a response from the applicants to the comments made above Historic England made the following additional comments: They note that the applicant has sought to justify the scheme on the basis that it would cause less than substantial harm. However, they consider that, it is first necessary to demonstrate that "great weight" has been given to the conservation of the heritage asset (listed building, unlisted historic building and conservation area) (NPPF 193) and that there is clear and convincing justification for the harm that would be caused. The assessment of the financial justification would be important in this regard. They consider that it should be possible to avoid or mitigate the harm to the conservation area by development of lower scale and more sensitive, less monolithic design given that schemes on other sites that are visible from the application site have only recently

been permitted at a much lower scale. They reiterate their previous comments that given that the site has been in the same ownership for some time they assume it cannot be a question of the site purchase price causing the resulting massing and given most of the site is proposed to be cleared the site development costs should be lessened. They considered that these factors need to be fully addressed to demonstrate a clear and convincing justification for the harmful development.

They remind the Council that in terms of the weighing exercise under para 196, the statutory duties under s16, 66 and 72 of the 1990 Act, together with the great weight under para 193, mean that there is a presumption which tips the scales heavily in favour of conservation. While there may indeed be public benefits that would be derived from the proposals these have to be sufficient to outweigh the harm and they urge consideration of whether a scheme of less height and mass could also achieve similar benefits.

A final set of comments was received following the August 2022 consultation

The recent retention of parts of the façade of the Rosenfield Buildings would be positive. However, as it purely retains the façade, it allows little appreciation of the scale, depth and form of this building, and limits the evidential value it preserves. As such, the overall benefit of this element would be tangible, but minor.

The revised design and palette of brick has negligible benefits, particularly in relation to the concerns about the form and scale of the design. The impact caused by the revised design is therefore unchanged.

**Victorian Society** - does not object to the principle of developing the site and supports the principle of the proposed partial demolition and alterations to No. 29 Shudehill and the erection of the Shudehill (ground plus 7no storeys) and Mid buildings (ground plus 6no storeys). They do however strongly object to the demolition of 18-20 Dantzic Street (inclusive of No"s 12, 14, 16 and 18 Thorniley Brow) and the 19 storeys tower. They urge the Council to withhold consent and seek further justification for, and revisions to, these proposals.

They make the following points to support that objection:

- The east of the site is characterised by small-scale commercial properties of early to mid-nineteenth century date such as 29 Shudehill, Grade II, and 18-20 Dantzic Street. These buildings along with Victoria Buildings, Grade II, and Withy Grove Stores represent the former dominant character of Victorian commercial enterprise which is such an important aspect of the area's development. There is a cohesive and legible historic character of the area in the immediate context as reflected in the Character Appraisal Area B – Dantzic Street with the Heritage Assessment.
- The description within the Shudehill Conservation Area Brochure states that, *"The character of the area is largely created by the unified way in which buildings are designed and grouped together, giving each street coherence and identity."*



- The special character and appearance of the Conservation Area has been eroded by large-scale and unsympathetic development. But elements of historic legibility remain in the scale and grain of the townscape, specifically on and in the immediate context of the site, and as recognised in the Conservation Area description and the Heritage Statement.
- The supporting documentation plays down of the significance of the Conservation Area, for example through an emphasis on fragmentation which intimates a subjective bias which may have been carried through in the assessment of significance of the designated and non-designated heritage assets, and the impact of the proposals.
- In order to mitigate any further harm and to ensure that historic legibility and integrity is sustained, it is very important that any proposals for development in the area are not only assessed against legislation and national and local planning policy but also against the directives in the „Control of development“ and „Improvement and enhancement“ sections of the Shudehill Conservation Area Brochure.
- There is no evidence to suggest that the building is structurally unsound and demolition is required on the basis of economic viability. There is not a clear and convincing justification for the harm to a designated heritage asset and the loss of a non-designated heritage asset. The City Council is therefore reminded of the test set out within paragraphs 194 and 197 of the NPPF. Along with the heritage focused policies (CC9 – Design and Heritage; EN3 – Heritage) in the Manchester City Core Strategy (2012) which “*focus on the fundamental importance of “preserving or, where possible, enhancing the historic environment”*”.
- They note that the assessment of the impact of the demolition of 18 – 20 Dantzic Street relates only to the conservation area rather than the building as required. They believe that the impact of the demolition would be major adverse as it entails the total loss of the heritage asset and with it, its significance. They disagree with the assessment of minor adverse impact on the significance of the Conservation Area and believe that the demolition will have a moderate adverse impact as its significance is derived in part from its contribution to the cohesive historic streetscape with the loss of the building making an appreciable difference to the public’s ability to understand the historic streetscape much evidenced by the Withy Grove Stores, Victoria Buildings, which are of a commensurate date, and 18-20 Dantzic Street.
- They agree on the level of contribution that 18 – 20 Dantzic Street makes to the special character and appearance of the Conservation Area and that it is a key contributor to its special character and appearance.
- The demolition needs to be considered in this context and the Council has a statutory duty to pay “special attention [...] to the desirability of preserving or enhancing the character or appearance of that area.” as set out in Part II, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as paragraph 193 of the NPPF”.

- A development that is sensitive and responsive to the historic townscape may have a positive impact on heritage assets, and an element of the proposals go in some way to achieving this. However, they strongly object to the 19-storey tower as the area is defined by low-scale commercial buildings and would be contrary to the prescriptions within the „Control of Development“ section of the Conservation Area description. It would not adequately address the sites contextual relationship with the Conservation Area and substantially negate any heritage value derived from the lower height of other elements. The Design and Access Statement indicates the disparity in height between the tower and surrounding buildings.
- The justification for a tall building relates to an emerging development typology, the marking of principal transport nodes and the creation of a perceived relationship with tall buildings to the north. This is inappropriate and ignores the immediate urban context and does not justify a tall building at every transport node.
- It is not necessary to reflect a transition in scale and density and 19-storey tower would not do this. The proposal would not sensitively mediate in scale and appearance between the more historic parts of the city centre and the surrounding higher density developments such as NOMA, New Cross, and the emerging Northern Gateway.
- The requirement and justification for height do not respond to the special character of the Conservation Area and is contrary to guidance in the Shudehill Conservation Brochure which states that proposals should take into account the surrounding character rather than evolving a design which could be located anywhere.
- The proposals, specifically the demolition of 18 -20 Dantzic Street and the erection of a 19-storey tower, show little regard for the special character and appearance of the Conservation Area and are selective in their response to the clear directives contained within a number of sections of the Shudehill Conservation Area Leaflet” The „Improvement and enhancement“ section clearly states that new buildings should relate to the existing immediate surroundings in height, scale, colour, form, massing and materials, so that their character is complimented.
- Economic viability alone is not sufficient justification for these proposals which would have a minor adverse and moderate adverse impact on the significance of designated heritage assets, and a major adverse impact on the significance of a non-designated heritage asset.
- Manchester desperately needs a Tall Buildings Policy to act as a context for assessing applications such as this.
- A key viewpoint taking in Withy Grove Stores which is notably omitted in the Townscape and Visual Impact Assessment (“the TVIA”).
- Viewpoints 6, 7 and 18 in the Townscape and Visual Impact Assessment also clearly show the extent of the impact of the 19-storey element on what, is still

in part, a low-scale commercial character.

- They consider that the visual impact analysis omits key viewpoints which would clearly show the impact on both the Shudehill and Smithfield Conservation Areas, specifically, the view from the intersection of Withy Grove and Shudehill taking in the Withy Grove Stores and viewpoints from within the Smithfield Conservation Area from which only one viewpoint is provided. Given the proximity to the Shudehill Conservation Area and legible shared historic townscape characteristics, the tower will have an impact on the significance and setting of the Smithfield Conservation Area and they therefore disagree with the assessment of “No Impact” in the Heritage Statement and the Townscape and Visual Impact Assessment should be extended to take in potentially sensitive viewpoints from within the Smithfield Conservation Area so as to fully inform an adequate impact assessment.

**TFGM (Metrolink)** – Object and cannot agree to the proposed oversailing of the Metrolink infrastructure. They are happy to work with the Applicant to enable the site to be developed without detriment to the safe operation of Metrolink.

Developments adjacent to Metrolink must be able to be constructed without Metrolink operations being impacted for any sustained period of time and must be capable of being maintained without impact to Metrolink operations. The cantilevered storeys of the development this would require working above the Metrolink platform and possibly within the hazard zone. The platform would have to be closed for the duration of the works, which is not acceptable to Metrolink. Additionally, if electrical isolations were necessary trams would not be able to operate between Piccadilly Gardens and Victoria. Metrolink could not accept this level of potential disruption to its operations and the impact that this would have on the travelling public.

**TFGM** – no objections but have requested a review of the need to upgrade adjacent bus stops, an increase in the number of cycle parking spaces and a condition requiring a Travel Plan.

**Head of Highways** - Object as there is not 100% cycle parking and the footway widths in the SW corner adjacent to the reception area, are inadequate and could impact on highway safety. They note that the narrow footway on Thornily Brow would remain as existing and have requested that this is widened to improve access.

**Head of Regulatory and Enforcement Services** – (Street Management and Enforcement) - Have requested a full updated acoustic assessment based on more representative up to date background noise measurements and climate and to take into account more recent requirements in relation to assessing and mitigating any potential over heating at the development from building construction and climatic conditions. The findings of these reports may require a redesign of the building façade to accommodate penetrations required for ventilation intake and extract.

Conditions are recommended in relation to the mitigation of vibrations from the tram, acoustic insulation of plant and equipment, management of air quality, the storage and disposal of refuse, fume extraction, delivery hours, the management of construction and the investigation and treatment of any contaminated land

**Greater Manchester Police (Design for Security)** – No objection subject to the recommendations contained in the Crime Impact Statement being implemented.

**Greater Manchester Ecology Group** – Have no objections. The probability of the demolition harming the conservation status of bats is very low and therefore pre-demolition surveys need to be carried out before a planning application is decided. The presence of bats has not been entirely ruled out and as bats are highly protected a precautionary pre-demolition bat emergence survey could be a condition.

**Flood Risk Management Team** – Have recommended conditions to ensure surface water drainage works are implemented in accordance with Suds National Standards and to verify the achievement of these objectives.

**Environment Agency** - Have no objections.

**United Utilities** - no objection providing specific conditions ensure that no surface water is discharged directly or indirectly to the combined sewer network and the site drained on a separate system, with only foul drainage connected into the foul sewer.

**HSE (Planning Gateway)** – Note that they became a statutory consultee on 1st August 2021 and that they cannot comment on planning applications from local planning authorities submitted, prior to that date.

**Greater Manchester Archaeological Unit** – Have no objections but note that a desk based archaeological study (DBA) has concluded that below-ground archaeological remains may survive in relation to a dissenting chapel and graveyard established in 1740 and 18th century workers' housing. The proposal would have a major impact on buried archaeology, which might include human remains. The areas of potential archaeological interest are sealed under a car park and concrete flooring in a building, so it is not possible to determine the level of survival, character, extent and relative significance. If burials are found then a Ministry of Justice licence will be required for removal of human remains, and a detailed archaeological investigation will be needed. GMAAS concur with the desk based assessment's suggestion for further archaeological mitigation in the form of evaluation trenching followed by more extensive and detailed excavation of significant remains that will be destroyed by development works. There is also archaeological interest in the historic fabric of the 19th century buildings on site and it is recommended that a historic building survey is undertaken to make a record of these for archive and research purposes before conversion and demolition. All of these works should be secured through a planning condition (s).

**Work and Skills** – Recommend that a local labour condition is included for the construction which incorporates a requirement to provide a report of local labour achievements.

**Manchester Airport, Civil Aviation Authority and NATS Safeguarding** - Have no safeguarding objections.

## ISSUES

The principal document within the framework is **The Core Strategy Development Plan Document 2012 -2027** ("the Core Strategy") was adopted on 11 July 2012 and is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long-term strategic planning policies for Manchester's future development.

The principal document is the Core Strategy. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long-term strategic planning policies for Manchester's future development.

The proposal has been assessed against the adopted Core Strategy 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:

SO1. Spatial Principles - This is a highly accessible location, and the development would reduce the need to travel by private car, support sustainable development and help to halt climate change.

SO2. Economy - Jobs would be provided during construction with 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.

SO3 Housing - Economic growth requires housing in attractive places. There is a presumption in favour of high quality and density housing in sustainable locations and the development could address demographic need and support economic growth. However, it would not be high quality or create an attractive place.

SO5. Transport - The development would be highly accessible, reduce the need to travel by private car and use public transport efficiently. The location adjacent to 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.

SO6. 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 development would remove a sense of dereliction and improve street activity and natural surveillance. However, it would not create a well-designed place or create a high quality neighbourhood for residents and would not enhance the built and natural environment.

Policy CC3 Housing – It is expected that a minimum of 16,500 new homes will be provided in the City Centre up to 2027. The development would be located within an area identified for residential development and would suit a range of occupants.

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 provide jobs for local people, through construction and use (commercial and building management). It would connect residents with local jobs as the site is close to transport infrastructure and would encourage walking, cycling and public transport use. It would support the continued social, economic and environmental regeneration of the city.

Policy CC5 (Transport) - The proposal would be accessible by a variety of modes of sustainable transport and would help to improve air quality.

Policy CC6 City Centre High Density Development – A high density development may be appropriate in order to maximise density in the City Centre. However, the overall scale and distribution of height and the manner in which it responds to its context is considered to be inappropriate and would not meet the requirements of Policy EN2 ‘Tall Buildings’. The reasons for this are set out in detail below.

Policy CC7 (Mixed Use Development) – The principle of a mixed use residential scheme on this site is supported as it would contribute to the economic regeneration of the City and provide active ground floor uses.

Policy CC8 (Change and Renewal) – Jobs would be created during construction and operation, but the development would not improve the character and function of the City Centre, taking other Core Strategy policies into account. It would have an adverse impact on the City’s heritage and character.

Policy CC9 (Design and Heritage) – The Council does support high density and mixed-use development in the City Centre, but this proposal is not of sufficient design quality. Its appearance would not be of the highest standard and the way it responds to context and character would not preserve or enhance the nearby heritage assets. The reasons for this are set out in detail below.

Policy CC10 (A Place for Everyone) – A high quality residential led mixed use development would appeal to a wide range of residents

Policy H1 Overall Housing Provision – This City Centre site is considered appropriate for residential development.

Policy H8 (Affordable Housing) - A Viability Appraisal demonstrates that the scheme is viable and deliverable but cannot sustain a financial contribution towards affordable housing. This is discussed in more detail below

Policy T1 (Sustainable Transport) – The proposal would encourage modal shift from car travel to more sustainable alternatives.

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 people to jobs, local facilities and public spaces.

Policy EN1 (Design Principles and Strategic Character Areas) – Whilst the design would provide some enhancement to permeability this would not be of sufficient

quality at street level. The scale and distribution of massing would not respond to context. The design would not complement the areas heritage or the character of the conservation area for the reasons set out below.

EN2 Tall Buildings – Proposals for tall buildings will be supported where it can be demonstrated that they

- Are of excellent design quality,
- Are appropriately located,
- Contribute positively to sustainability,
- Contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance, and
- Will bring significant regeneration benefits.

A fundamental design objective will be to ensure that tall buildings complement the City's existing building assets and make a positive contribution to a unique, attractive and distinctive Manchester, including to its skyline and approach views.

Suitable locations are sites in and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites close to public transport nodes. Applicant/developer are required to demonstrate that proposals for tall buildings are viable and deliverable.

The proposal would support the regeneration of a highly sustainable site with a high-density development. The tallest element would be located in the heart of the Shudehill Conservation Area and its massing and external appearance would have an adverse impact on the character of the conservation area and the setting listed buildings. The 19-storey block in particular would dominate the street scene and be highly visible in some key views of the site. It would adversely impact on the skyline adjacent to a key City Centre arrival point and the massing and external appearance would not contribute positively to place making.

The inappropriate massing and external design would not be of excellent design quality, would not complement key existing building assets and would be inconsistent with the areas distinct character. For these reasons and as set out in more depth below the development is considered to be contrary to policy EN2.

Policy EN3 Heritage – It is considered that the building would have a detrimental impact on the character and appearance of Shudehill Conservation Area and the settings of the nearby listed buildings and some impact on the setting of the Smithfield Conservation Area . This is discussed in more detail below.

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon Development - The proposal would follow the principle of the Energy Hierarchy to reduce CO2 emissions.

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies – The development would comply with the CO2 emission reduction targets set out in this policy.

Policy EN 8 Adaptation to Climate Change - The energy statement sets out how the building has been designed to consider adaptability in relation to climate change. The application is not supported by an Overheating Assessment (as requested by the Head of Regulatory and Enforcement Services) in order to illustrate the level of plant and consequent noise generation implications that would be required to comply with current Building Regulation requirements.

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 traffic emissions. The proposal would not compromise air quality. The proposal would not be reliant on cars which would minimise emissions generated by the development. Cycling is encouraged although there would be less than 1 space per apartment. Dust suppression measures will be used during construction.

Policy EN17 (Water Quality) – An assessment of 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 from ground contamination which 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 on site management team will manage waste streams.

Policy DM 1 Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

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

The application is considered in detail in relation to the above issues within the Issues section below.



Policy DM2 Aerodrome Safeguarding – The development would not have an impact on the operational integrity or safety of Manchester Airport or Manchester Radar.

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

### **Saved UDP Policies**

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:

E3.3 To Enhance the City’s Environment – the proposal, in particular due to the prominence and high level of visibility of the ‘Dantzig’ tower, would not be of the quality expected on a major City Centre access route.

DC18.1 Conservation Areas – the proposal would have a detrimental impact on the character and appearance of the Shudehill Conservation Area, and this is discussed in detail in the report.

DC19.1 Listed Buildings – the proposal would have a detrimental impact on the settings of nearby listed buildings. This is discussed in detail in the report.

Saved Policy DC20 Archaeology – There are likely to be archaeological remains on the site which may be of local significance which should be properly recorded.

DC22 (Footpath Protection) - The development would improve pedestrian routes in the local area through ground floor activity and repaving.

Saved Policy DC26.1 and DC26.5 Development and Noise – The application is not supported by an up-to-date acoustic assessment and it is unclear if the building has been designed to adequately mitigate any adjacent noise sources including existing entertainment venues close to the development. This may have implications in terms of the overall building design which are not able to be considered in the absence of that data. It is considered that the proposal would not have a detrimental impact on the amenity of surrounding occupiers through noise subject to conditions controlling noise outbreak from some of the uses proposed in the commercial units. This is discussed in more detail later on in this report.

### **Other material policy considerations**

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007) This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people, 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.

For the reasons set out later in this report the proposals would not be consistent with a number of these principles and standards.

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; and
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.

The inclusion of bat and bird boxes could be secured by a condition and a green / blue roof above level 7 would enhance biodiversity at the site.

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

The application site lies within the area identified in the document as the Retail Core. This supports a strong retail sector as providing perhaps one of the best opportunities for currently workless Mancunians to secure work whilst in education and to access the employment ladder with relatively low entry requirements in terms of formal qualifications. The commercial units proposed as part of the development would support those types of jobs. The site has the potential to augment the diversity of retail, residential and leisure facilities in this area.

Stronger Together: Greater Manchester Strategy 2013 (GM Strategy)

The sustainable community strategy for the Greater Manchester City Region was prepared in 2009 as a response to the Manchester Independent Economic Review (MIER). MIER identified Manchester as the best placed city outside London to increase its long term growth rate based on its size and productive potential. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life. The proposed development would support the overarching programmes being promoted.

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

The Guidance seeks to promote excellent design standards in developments within the City in order to secure high quality well designed residential developments. It acknowledges that local distinctiveness and character cannot be enhanced through delivery of a one size fits all approach to placemaking.

Of particular relevance to the evaluation of this application the following sections of the Guidance are noted:

- New development should investigate and reference its historical context; interpreting.
- Materials, styles and detailing in a contemporary context can reinforce local distinctiveness and a sense of place. Residential design should create new housing that responds to the existing urban fabric, building typologies and the city's distinctive style while also embracing modern materials and contemporary ideas.
- Make it Animate Street and Spaces -The interrelationship between buildings, streets and spaces in making a place feel safe and inviting.
- Good design does not simply restore and retain existing character; it also amplifies and transforms it.
- With the exception of areas of existing special character (or those with a strong sense of place, such as conservation areas) an increase in density should be encouraged in those parts of the city that are well connected to public transport and have greater access to public services, community facilities, amenity and recreation provision.
- An assessment of density is often a careful balance; taking into account character and context, economic and regeneration opportunities together with the capacity of different parts of the city to be able to accommodate and support any increase. Where area based planning guidance does not exist, or where it is silent on density, then any proposals which increase the existing level of density within the neighbourhood should be fully justified to the satisfaction of the Local Planning Authority. However, fundamentally important to this justification will be the preparation of a comprehensive urban design

appraisal identifying whether a particular neighbourhood, block or street has a strong and coherent density that should be reinforced or demonstrate that it has capacity for change.

- Respectful design can also contrast with historical buildings, amplifying both old and new. This needs to work at all scales: from heritage that forms a distinctive neighbourhood identity, through to the finer nuances of architectural detailing that reference the history of a particular site.
- Achieving an appropriate scale for new residential development is a delicate balance and should be based on an understanding of the site and its context, the city's desire to see sound place making, and a clear understanding of how scale can be used positively as a means of driving high quality buildings that provide attractive places in which to live. There is a need to demonstrate how proposed height and mass would fit within its context, appreciating the need to create a legible urban environment, provide a strong sense of enclosure and, where appropriate in schemes of sufficient scale, introduce landmarks. In certain locations, this will involve maintaining the consistency of the existing urban form; in other cases, the correct approach may be to introduce a shift in scale that can provide dramatic juxtaposition.
- Taller buildings require particular care and sensitivity, having a disproportionately large impact on the image of the city by virtue of their visibility and concentration of uses. Seen from distance, taller buildings can alter the city's skyline and flatten the topography. At the scale of the block or street their impact is more on the character and atmospheric quality of the spaces immediately around them, affecting light and shadow, altering the microclimate and reducing the amount of sky visible at street level. Developers and their design teams will be expected to demonstrate how the bulk, massing and scale of proposals have been considered in terms of its impact on the neighbourhood, street and block and how it influenced the architecture and design of the building and/or space. In the case of tall buildings, there will be a need to demonstrate how proposals have addressed the assessment criteria provided within MCC Core Strategy policy EN2 and Historic England's Guidance on Tall Buildings. Also, they should be accompanied by a Townscape and Visual Impact Assessment (in line with the Guidelines for Landscape and Visual Impact Assessment 2013) and Visually Verified Views (locations to be agreed with MCC/ Historic England where appropriate).
- Residential development should respond to its context. This may mean continuing a particular approach and materials palette; it may mean introducing something different that can act as a counterpoint to the existing character. In either case, the choice of materials should be clarified with the Council. Variation of materials, when used carefully and sparingly, can enhance character and increase legibility through creating something memorable. The way materials are combined, and the number of materials used and how they are applied, is a key consideration. Materiality should also consider a range of scales. Materials used within a single building must work together, but should also fit within the context of the wider street, block and

neighbourhood.

New development will be expected to comply with the Guidance. However, where a proposal does not, the only justification for exception will be on the grounds that the proposed scheme produces exemplary and innovative design and / or the scheme delivers significant over-riding public benefits.

In terms of the wider quality aspirations within the Guidance it is considered that the proposed development would meet the key design aspirations relating to thresholds, space and daylight, storage, privacy, practical considerations (waste) sustainability (including access to sustainable transport options), creation of mixed communities and futureproofing. There would be some improvement to the public realm through completion of the pedestrian links around the Interchange, improvements to lighting and more passive surveillance and street level activity although this could be improved with a more generous amount of public realm facing the interchange. However, it is considered that there would be non compliance with a number of embedded design criteria which is not justified by exemplary and innovative design and / or the scheme delivering significant over-riding public benefits. This non compliance is discussed in more detail later in this report but can be summarised in the context of the above points from the Guidance as follows:

- Whilst acknowledging the contemporary style of much of the proposed development, the materials, styles and detailing would not reinforce local distinctiveness and a sense of place.
- Make it Animate Street and Spaces -The interrelationship between buildings, streets and spaces in making a place feel safe and inviting could be improved by better design at street level.
- Restoration and retention of existing character would not amplify or transforms through good design.
- Whilst in a part of the city that is well connected to public transport, has greater access to public services, community facilities, amenity and recreation provision, the site lies within a conservation area and affects listed buildings, and these factors need to be afforded weight commensurate with their significance and the impacts on their special character.
- There is no area based planning guidance for the site and it is considered that the proposed form of the increased density within the neighbourhood has not been fully justified including through a comprehensive urban design appraisal.
- The proposed design is not respectful in terms of either contrast with historical buildings or amplifying both old and new.
- The proposed scale and massing is not appropriate to context, based on an understanding of the site and its context or the city's desire to see sound place making. Scale has not been used positively as a means of driving high quality buildings and it has not been demonstrated how the proposed height

and mass would fit within its context, appreciating the need to create a legible urban environment, which maintains a consistency of the existing urban form.

- The proposals would not provide a dramatic juxtaposition which would justify a shift in scale.
- Whilst having no unacceptable adverse impacts on microclimate, the overbearing nature of the 20 storey block and its overall bulk, accentuated by the overhang facing the Interchange facing elevation would have an adverse impact on the character and atmospheric quality of the spaces around it. This would not be relieved by sensitive design which relates strongly or successfully to the architecture and scale of development within the neighbourhood, street and blocks.
- Whilst the use of brick would be contextually appropriate in this location, the variation of materials, would not enhance character and increase legibility through creating something memorable.

The application is supported by a Townscape and Visual Impact Assessment (in line with the Guidelines for Landscape and Visual Impact Assessment 2013) and Visually Verified Views (locations agreed with MCC). The above non-compliance within the context of the above and that guidance along with other supporting design and visual and historical impact assessments are discussed in more detail later in this report.

Manchester Housing Strategy 2022-2032 – This seeks to deliver 36,000 new homes by 2032, including 10,000 affordable homes (some 28% of total delivery) and supports high density housing in the core of the conurbation. The proposed development would go some way to contribute to achieving the above targets and growth priorities but would not deliver any affordable homes. The provision of affordable homes is covered in more detail later in this Report.

### Climate Change

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

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

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

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

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

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO<sub>2</sub> from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken.

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

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

The alignment of the proposals with the policy objectives set out above is detailed below.

### **Relevant National Policy**

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



development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 (Delivering a sufficient supply of homes) – The scheme would provide high-density housing on a site where such accommodation is considered to be appropriate.

Section 6 - Building a strong and competitive economy states that Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para 81). The proposals would create jobs during construction and new residents would support the local economy through the use of facilities and services. These benefits are further quantified below.

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.

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 however whilst some on site cycle parking is provided but this does not comply with the recommended levels in the Manchester Residential Design Guidance. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. A Travel Plan could be secured as part of the conditions of any 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).

Whilst the proposal would re-purpose a largely vacant brownfield site currently in deteriorating condition which has a negative impact on the street scene, which could be considered to be an efficient use of land, the scale and density of the proposal in relation to context is considered to be unacceptable. Whilst the housing and commercial units would meet known regeneration requirements in the area the development would not maintaining the area's prevailing character and setting.

The site is close to sustainable transport infrastructure. A travel plan would encourage the use public transport, walking and cycle routes to the site. This would be based on a car free development reducing car journeys to and 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 proposed building, due to the overall distribution of its massing, façade design and the use of materials to articulate the facades would not achieve a well-designed place. It would not be visually attractive or sympathetic to local character and history, nor would it establish or maintain a strong sense of place. It would not be high quality or complement the distinctive architecture within the area. There are also areas of the design that are not properly detailed within the submission in relation to acoustic insulation and ventilation and prevention of overheating which have implications for the overall design. The potential of the site could be optimised through other more appropriate forms of development whilst delivering the same level of other benefits as required by this Section of the NPPF. These issues are discussed in detail later in this Report.

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 be based on the use electricity. Efficient drainage systems would manage water at the site.

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of sol, air, water or noise pollution or land instability and remediating contaminated land. High performing fabric would ensure no unduly

harmful noise outbreak on the local area. Recommendations are made within an Ecology Assessment about biodiversity enhancements.

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 appropriate remediated.

Paragraph 185 outlines that decisions should ensure that the 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.

Paragraph 187 states that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The proposal would not worsen local air quality conditions. If the development does not have adequate levels of acoustic insulation and ventilation which also deals with potential for overheating, then there could be conflicts with adjacent entertainment venues. It is considered that inadequate information has been provided with the application to demonstrate that this would not be an issue. This is discussed in detail later in this Report.

The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during construction. A travel plan and access to public transport encouraging alternative travel choices. The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

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.

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

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).

Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision (para 196).

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. (para197).

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

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

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

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 (para 203).

Local planning authorities should look for opportunities for development in Conservation Areas and World Heritage Sites, and within the setting of heritage

assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (para 206).

The proposal would result in a degree of harm to heritage assets which is not outweighed by the benefits of the development and it is considered that there are other forms of residential development which have not been considered which could deliver more public benefits including heritage benefits. The existing condition of the buildings has not been given any weight in the determination of this application. These matters are considered in detail below.

It is also noted that the revised submission pack acknowledges that since the original submission the buildings and site continue to deteriorate, and it is increasingly important to find a viable solution to the redevelop the site and take up the significant opportunity in completing the Interchange Square.

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.

The National Design Guide (January 2021) - This illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

There are 10 characteristics of well-designed places within the National Design Guide which are listed below:

- Context – enhances the surroundings
- Identity – attractive and distinctive
- Built form – a coherent pattern of development
- Movement – accessible and easy to move around
- Nature – enhanced and optimised
- Public Spaces – safe, social and inclusive
- Uses – mixed and integrated
- Homes and buildings – functional, healthy and sustainable
- Resources – efficient and resilient
- Lifespan – made to last

The proposed form of development would not enhance its surroundings to an acceptable level. Its distinctiveness would not be expressed in an attractive manner, and it would not deliver a coherent development that properly responds to context.

#### **Historic England Tall Buildings Advice Note 4 (March 2022)**

This provided guidance for decision making informed by understanding of place, character and historic significance and advocates that tall buildings proposals should take account of local context and historic character. It acknowledges that in the right locations well designed tall buildings can support make a positive contribution to major change or regeneration while positively influencing place-shaping and conserving the historic environment.

It considers that if a tall building is not in the right place, by virtue of its size and widespread visibility, it can seriously harm the qualities that people value about a place. It notes that there will be locations where the existing qualities of place are so distinctive and the level of significance of heritage assets so great that tall buildings will be too harmful, regardless of the perceived quality of the proposal's design and architecture.

It sets out a number of factors which need to be considered to determine the impacts a tall building could have upon the historic environment:

- **Quality of places:** the distinctive qualities and values of a place including historic character and context;
- **Heritage:** understanding the significance of the historic environment and the potential impact on this significance;
- **Visual:** the impact on the streetscape, town or cityscape and wider urban and rural landscapes, and views. This includes the setting of heritage assets;
- **Functional:** the design, embodied carbon and carbon cost, construction and operation;
- **Environmental:** the influence on local micro-climates such as creation of wind tunnels, canyon effect, over-shadowing, glare, and air quality and effect on heritage assets in terms of the impact these micro-climatic changes could have upon their fabric, and how they are experienced; and
- **Cumulative:** the combined impacts on heritage assets from existing, consented and proposed tall buildings.

It considers that the response to local context including its evolution is critical to achieving good design. This includes considering how the tall building relates to neighbouring buildings and how the massing and scale is appropriate in relation to its surroundings responding to context to avoid or minimise harm to the significance of heritage assets.

It emphasises the following points which are considered to be important to consideration of the Proposed Development:

- It is helpful to consider the relationship between the top, middle, and bottom sections of a tall building with their surroundings and the potential impact on streetscape;
- Consideration can be given to whether a distinctive landmark design or a restrained architectural response is more appropriate in terms of the likely impact on the historic environment;
- High-quality architecture involves designing a tall building 'in the round' so it is coherent from all directions taking account of a building's scale, form, massing, proportions, silhouette, façade materials and detailed surface design. It is important to note that not all tall buildings can be landmarks, and not all landmarks need to be tall buildings;
- The functional design of new buildings needs to consider and respond carefully to the historic environment. Historic environments often demonstrate

strong street-based urban design qualities. The design of tall buildings should reflect or reference local street-based qualities, such as active frontages and human scaled design at street level;

- The way tall buildings are experienced at ground level is an important consideration as tall buildings can have a significant impact on the historic streetscape and public realm. In some cases, redevelopments may create opportunities to enhance elements of the significance of heritage assets by opening lost views or revealing historic street patterns; and
- Developing tall buildings in the right locations and at the right heights can have a positive influence on place-shaping with minimal or no impact on the historic environment. However, it is acknowledged that there may be some circumstances where potential impacts on the historic environment will occur; these can be reduced through mitigation measures. Mitigation measures can involve locating taller elements of a development on less sensitive parts of a site, by carefully considering layout;

## **Other National Planning Legislation**

### **Legislative requirements**

Section 16 (2) of Listed Building Act provides that “in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder

### **Environmental Impact Assessment.**

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

- Heritage and Built Environment
- Townscape and Visual Impact
- Wind Microclimate
- Socio-Economic
- Noise and Vibration
- Daylight, Sunlight and Overshadowing

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. The Site covers an area of approximately 0.25 hectares but is above the indicative applicable threshold of 150 residential units. It has therefore been identified that an EIA should be carried out in relation to the topic areas where there is the potential for there to be a significant effect on the environment as a result of the Development. The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects.

Due to changes to the submitted scheme the City Council notified the Applicants under Regulations 25 and 18(2) and (3), that it is considered that due to the amendments to the above application that it was necessary for the Environmental Statement Land at Shudehill, Manchester October 2018 to be supplemented with additional information which is directly relevant to reaching a reasoned conclusion on the likely significant effects of the development described in the application in order to be an environmental statement. An addendum to the original statement was subsequently submitted in response to that request.

In accordance with the EIA Regulations, the ES and Addendum 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 explained by reference to the proposals possible impact on human beings, flora, fauna, soil, water, air, climate, cultural heritage, landscape and the interaction between any of the foregoing material assets;

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

Summary, in non-technical language, of the information specified above. It is considered that the environmental statement has provided the Local Planning

## **Conservation Area Declarations**

### **Shudehill Conservation Area Declaration**

The site is in the Shudehill conservation area at north-western edge of the city centre. It was designated in February 1987. It is bounded by Hanover Street, Riga Street, Mayes Street, Shudehill, Withy Grove and Corporation Street. It also includes one building on the north side of Hanover Street, fronting Corporation Street.

The early development on Shudehill and Withy Grove was, and still is in part, small scale with narrow frontages. By the 20th century large scale property was being developed along Corporation Street: first the headquarters of the Co-operative Wholesale Society, then the buildings on the corner of Withy Grove and Corporation Street to accommodate national newspaper publishers.

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 and include the site, are situated to the east side of the conservation area.

Many older buildings have been demolished due to low levels of occupancy, neglect and lack of investment. Others have been affected by the construction of the Metrolink system which follows the line of Balloon Street and the former Snow Hill.

The Conservation Area Brochure contains advice on the parameters that are appropriate in terms of an approach to Development Management and achieving improvements and enhancements to the area. Whilst this is only advice it does reflect the expectations set out in the City Council's Design Guide SPD and Core Strategy in respect of new City Centre developments particularly within Conservation Areas. This is summarised below as far as it relates to this development

- Although Shudehill does not have an abundance of buildings listed as being of special architectural or historic interest, there are several architecturally interesting properties, and several street frontages have character and quality. Sympathetic infill would add to the completeness of the streets.
- Development control in Shudehill aims to encourage development and activity which enhances the prosperity of the area, whilst paying attention to its special architectural and visual qualities.
- It is essential to ensure that the character of the existing buildings and the spaces between them are retained and even enhanced.
- The frontages of new buildings should be aligned with the back of the pavement in order to maintain the linear character of the street pattern.
- The character of the area is largely created by the unified way in which buildings are designed and grouped together, giving each street coherence and identity. New development should continue to express this individuality and maintain or enhance the street or space.
- The urban design context is vital in certain areas. Designers of proposed buildings should take account of the surrounding character rather than evolving a design which could be located anywhere in Manchester, or indeed in any other city.
- New buildings should relate to the existing immediate surroundings, so that their character is complimented.

- On the east side of the area building heights should be much lower, and consistent with the smaller scale and narrow-fronted character of existing buildings which line the sloping streets.
- New buildings or controlled, landscaped, open spaces should make use of existing views and vistas.
- The proportion and rhythm of new buildings should be considered in the context of adjacent properties. Designers of new buildings will be encouraged to differentiate between the ground floor, a middle portion and a top part, in order to create a varied skyline.
- Red brick predominates in Shudehill, with the exception of some of the larger buildings on Corporation Street. Other materials may be used such as stone and terracotta, or a combination of these with brick, but large areas of cladding, concrete or glass should be avoided.
- In new buildings, windows should be set back from the wall faces in order to create deep modelling on the facades.
- The corner-emphasis characteristic of Manchester's Victorian and Edwardian architecture is also to be found in Shudehill and its use in new development will therefore be encouraged.

### **Smithfield Conservation Area Declaration**

The Smithfield conservation area lies on the north-eastern edge of the city centre of Manchester.

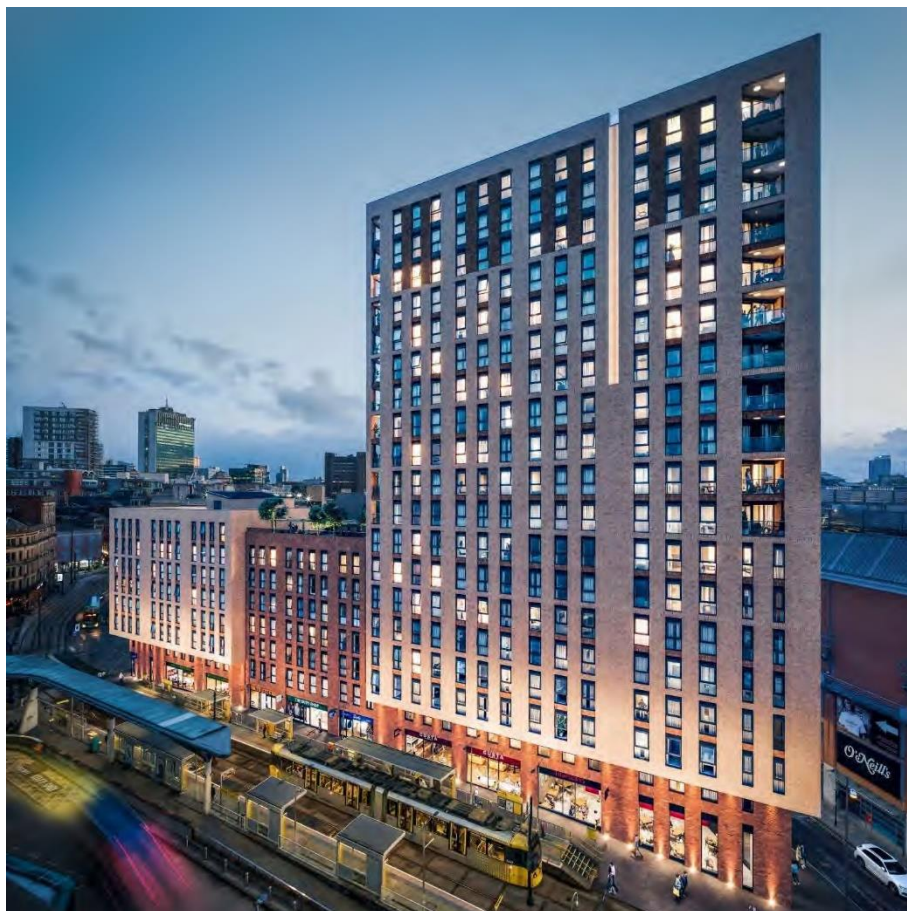
The area is bounded by Swan Street, Oldham Street (a common boundary with the Stevenson Square Conservation Area), Market Street, High Street and Shudehill (a common boundary with the Shudehill Conservation area).

Historically, the predominant building type was food markets. Few of these are still standing, and those that have been converted to other uses. Around Turner Street and Back Turner Street, there are some very small-scale houses dating from the Georgian period, subsequently converted or used for commercial purposes. These streets and the buildings defining them create a rich tapestry of spaces and built form located hard up to the back of pavement. This character contrasts with that of the buildings to the south of the conservation area, closest to the commercial heart of the regional centre along Oldham Street, Market and Church Street, which are larger and of later date than the rest of the area. A number of sites have been left vacant where buildings have been demolished. Many of these are used as temporary car parks, which detract from the visual appeal of the area.

The Conservation Area Brochure contains specific advice on the parameters that are appropriate in terms of an approach to Development Management and achieving improvements and enhancements to the area. Whilst this is only advice it does reflect the expectations set out in the City Council's Design Guide SPD and Core

Strategy in respect of new City Centre developments particularly within Conservation Areas. This is summarised below as far as it relates to this development:

- The main criterion in urban design terms in this area relates to the need to fit into the established street pattern and to ensure that the scale of development proportions and materials relate to the immediate context.
- Development management aims to encourage development and activity which enhances the prosperity of the area, whilst paying attention to its special architectural and visual qualities.
- Demolition of existing buildings of architectural or townscape merit should be seen as a last resort and a coherent and complete justification made in line with government guidance on the issues relevant to each case must be made.
- Quality is the overriding aim in any new proposal, and this can be provided in either sensitive refurbishment of existing buildings or the appropriate design of new buildings.
- Designers should be aware of proportion and rhythm in their buildings and also differentiate a ground floor, middle portion (where there is sufficient height to do so) and a top part which creates a varied skyline, in order to enhance the area.
- In line with other parts of the city centre, new development proposals should generally be aligned to the back of pavement, in order to preserve the linear character of the streets.
- In terms of building materials brick, stone and stucco, brick with stone dressings predominates and solid, traditional materials should be used in preference to large expanses of cladding, concrete and glass.
- In new buildings, windows should be set back from the wall faces in order to create deep modelling on the facades.



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

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

The appearance of the site is poor and fragments the historic built form and gives a poor impression. The proposal would address a weak edge to the transport interchange, enhancing the level of active frontage around the site. Footpaths to Shudehill, Dantzic Street, Thornily Brown and facing Metrolink would be improved.

Regeneration is an important planning consideration as it is the primary economic driver of the region and crucial to its longer term economic success. There has been a significant amount of regeneration around the site over the past 30 years through private and public sector investment. Major change has occurred at NOMA, Shudehill Interchange, The Printworks, The Arndale Centre, New Victoria, New



Cross and on a smaller scale such as the Glassworks (offices) opposite the site at the junction of Back Turner Street and Shudehill.

Regeneration of this site would re-purpose a largely vacant brownfield site which has a negative impact on the street scene and provide homes and commercial units to meet known regeneration requirements. The right form of development would make a significant contribution to the ongoing regeneration of the area. Any development must be of a quality consistent with the recent developments which form the wider site context as detailed elsewhere in this report.

The form of development proposed would not be of an appropriate quality and would not enhance its surroundings to an acceptable level and it would not deliver a coherent development that properly responds to context or which maintains the area's prevailing character and setting.

The scale, massing, façade design and the materials proposed to articulate the facades would not achieve a well-designed place. It would not be visually attractive or sympathetic to local character and history, nor would it establish or maintain a strong sense of place. It would not be high quality or complement the areas distinctive architecture. The potential of the site could be optimised through more appropriate forms of development with the same level or enhanced benefits.

The development would deliver significant economic and social benefits including employment during construction and in the building management and commercial units on completion. It would support 198 FTE direct and indirect construction jobs, with a GVA associated with these jobs of £8.3m per annum.

The development would create commercial space increasing the overall employment density of the Site potentially creating an additional 43 net direct and indirect jobs (taking into account the existing jobs supported on site), with a GVA of £1.1m per year.

175 homes would accommodate approximately 420 residents who would spend about 3.2m pa, which would support local businesses and create an estimated 23 local jobs. The GVA associated with jobs supported by expenditure is circa £789,000 per annum. The proposal would generate around £328,000 annually in Council Tax..

The development would improve the environment in a sustainable location and deliver high quality homes for safe with healthy living conditions. It would be close to major transport hubs and would promote sustainable economic growth.

The proposal may use the site efficiently and effectively as required by paras 119 and 120(d) of the NPPF when, taking into account factors set out above and, but the scale, massing and design is not acceptable in its context such that it is not well designed as required by paragraphs 124 and 130 of the NPPF. In particular the proposal would not maintain the area's prevailing character and setting, would not be an appropriate scheme to promote regeneration and change nor would it be well designed and attractive. It is considered that other forms of development which would develop the site at a similar density could be consistent with paragraphs 124 and 130 of the NPPF.

Whilst the proposal would re-purpose a largely vacant brownfield site currently in deteriorating condition which has a negative impact on the street scene, which could be considered to be an efficient use of land, the scale and density of the proposal in relation to context is considered to be unacceptable. Whilst the housing and commercial units would meet known regeneration requirements in the area the development would not maintain the area's prevailing character and setting

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

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

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

175 PRS homes are proposed. The delivery of homes is a council priority. The proposal would develop a brownfield site. It would improve the sites perimeter and create active frontages. However, it would not have a good quality appearance and in some instances would not comply with the Residential Quality Guidance.

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

A benchmark land value of £1,377,880 and build costs of £203.41 per sq. ft. are within the expected range based on comparable evidence. The Gross Development Value would be £425 per sq. ft. assuming 100% private housing and the scheme is targeting a profit of 16% on GDV which is within the suitable range of 15 - 20% in line with the Viability Guidance set out in the NPPF. On this basis the conclusion of the independent assessment was that the scheme cannot support a contribution towards off site affordable housing and remain viable.

If the application is approved, a s106 agreement would require the viability to be re-tested to assess whether any affordable housing contribution could be secured should market conditions change during construction.

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

The mix and size of the homes would appeal to single people and those wanting to share. The 2 and 3 bed apartments would be suitable for 3 to 5 people and could be attractive to families and those downsizing. They could be converted to meet all needs.

The details of the building management regime are not yet known but the design would allow 24 hour on-site security / management. This would ensure that the development is well managed and maintained and support long-term occupation.

The proposal would meet key design objectives relating to thresholds, space and daylight, storage, privacy, practical considerations (waste) sustainability (including access to sustainable transport options), creation of mixed communities and futureproofing. All homes would meet space standards and would have large windows to increase natural sunlight and daylight and corner homes would be dual aspect. The flexibility of the open plan arrangement responds to contemporary lifestyles. All homes in the perimeter block would be dual aspect. A number of corner apartments would have balconies and 3 1<sup>st</sup> floor apartments would have a private terrace. A resident's terrace would encourage interaction between residents to promote a sense of community.

However, it would not comply with some design criteria which is not justified by exemplary and innovative design and / or the scheme delivering significant overriding public benefits. Other better designs could deliver the same or better public benefits. The principal issues with the design set out above in the Policy section are discussed in more detail in the report,

### **Historic England Guidance on Tall Buildings and CABE criteria for Evaluating Tall Building proposals**

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

One of the main issues to consider is whether a part 2, part 7, part 8, and part 19 storey building is appropriate in this location. This would be a tall building and should be assessed against the relevant policies in the NPPF and Core Strategy that relate to Tall Buildings and the criteria set out in Historic England's Tall Buildings Advice Note 4 (March 2022) which updates their previous Note 4 (2015) which itself was an update the CABE and English Heritage Guidance published in 2007. The Core Strategy also contains policies relating to Design, Tall Buildings and Heritage which are also considered here (Policies CC9, EN1, EN2, EN3 and DM1)

Guidance and advice in the following documents has been taken into consideration: National Design Guidance, Manchester Residential Quality Guidance, the Guide to Development in Manchester SPD and City Council Area specific Guidance on the Shudehill and Smithfield Conservation Area.

- The design has been considered and assessed in relation to context and its effect on key views, listed buildings, conservation areas, non-designated heritage assets, surrounding character, scheduled Ancient Monuments, Archaeology and open spaces. The key issues are the appropriateness of the scale and massing;
- The appropriateness of the external form and design in terms of materials, detailing both in relation to overall design quality and context;

Historic England have objected and public engagement has taken place.



**CGI's showing view from Dantzic Street and view from Shudehill**

Taller buildings require particular care and sensitivity, having a disproportionately large impact as they are highly visible. They can play an important role in shaping perceptions of an area. The Core Strategy supports tall buildings that are of excellent design quality, are appropriately located, contribute positively to sustainability and place making, for example as a landmark, by terminating a view, or by signposting a facility of significance, and deliver significant regeneration benefits.

However, they should relate sensitively to their context and make a positive contribution to a coherent city/streetscape. Sites in the City Centre are suitable locations, subject to the above, when they are viable and deliverable, and particularly where they are close to public transport nodes. These parameters have informed the SRF's which have promoted regeneration in the city centre over the past 20 years.

### **Scale and massing and principle of a tall building on Dantzic Street**





Proposed views from Withy Grove (top), Dantzic Street (bottom left) and High Street (bottom right). (A full Assessment of impact within various defined views is set out later in this Report)

The applicants consider that a tall building can be supported in this location because:

- *Shudehill acts as an important link between the city centre core and emerging areas of regeneration, including New Cross and NOMA;*
- *The regeneration of New Cross and NOMA will raise the importance of Shudehill and Dantzic Street as key connectors from these areas into the core city centre and generate more footfall to the Shudehill transport interchange;*
- *The proposals would align with policy aimed at encouraging higher density residential development around transport hubs.*
- *The development reflects the transitory nature of the site and mediates in height between development to the north (NOMA, New Cross and the Northern Gateway) and the historic fabric of Shudehill and Northern Quarter*

They also consider that the scale and massing achieves the following:

- *Articulation into three related masses mitigates any sense of unrelieved oppressiveness. The massing would hold the corners of Shudehill and Dantzic Street as they meet the open space of the Transport Interchange. Two higher end blocks would hold the street corners linked with a lower recessed block of a height which provides articulation between the two corner elements whilst providing an appropriate height and scale to hold and define, effectively as gateways, the south-western edge of the Transport Interchange.*
- *The massing provides a strong active edge to enclose the transport interchange 'square' with high element scaled in proportion to the negative space around the bus manoeuvring area and to establish a relationship with the listed CIS tower. This is an aspect that is reinforced by the development of the Glassworks Building at Back Turner Street, which also forms a high enclosure to the interchange 'square'*

A high density residential led development could be appropriate on some City Centre sites to maximise development. This site is at a public transport node and at the junction of two main movement corridors. However, taken as a whole the proposed scale, mass and height would be excessive. It would be overbearing and

out of scale and would not be in keeping with the character and appearance of this part of the Shudehill Conservation Area. The bulk and massing and detailing of the tower in particular, would be oppressive.

Dantzic Street is at the centre of the Shudehill Conservation Area. Heights vary on Dantzic St but the maximum height in the conservation area is seven storeys, with the medium height around five. The tall 20<sup>th</sup> Century buildings, a number of which are Grade II listed, are outside the Shudehill Conservation Area, but make a positive contribution to its character and appearance. The Grade II Listed CIS Tower is a significant landmark building but its lower podium block successfully addresses its street level context and complements the scale and character of Dantzic Street and Hanover Street.

The massing and form of the scheme would not create a visually well-balanced new addition to the area. The tower would be unduly imposing and monolithic. The local skyline and townscape would become more disjointed as a result, with a negative impact on the quality and distinct character of the local urban environment. This would undermine the wider regeneration of the area.

The retained façade of part of the Rosenfield Buildings would be shallow and would not mediate and mitigate the impact that the excessive height and scale would have on the streetscene. It would allow little appreciation of the scale, depth and form of this building. The Grade II listed Victoria Buildings would be adversely impacted through excessive development in its immediate setting.

There is no urban design necessity for a tower close to the Interchange in the location proposed.

The nearby taller buildings are in a different urban context to the proposal. Their existence does not in itself justify another tall building. They provide legibility and highlight links between the city centre core and New Cross and Noma and a further tall building is not required. The site needs investment and change but the characteristics of its context and location would not support a 19-storey building.

Metrolink are concerned that the building line would significantly reduce sightlines from Shudehill and Dantzic Street for pedestrians/Metrolink users using the ramp. It is not proposed to improve the footway capacity to allow for an increase in pedestrian activity on the corners of Shudehill and Dantzic Street.





The scale and massing of the lower elements would be a more appropriate response to context. The three-storey element abutting the Grade II listed building addresses its scale, mass and form, and responds sympathetically to its setting and significance. However the overall distribution of height and scale and massing of the tower would not be acceptable. It would be over large and would not provide a high-quality landmark. Overall, it would not contribute to placemaking, would not be sensitive to context or make a positive contribution to a coherent city / streetscape.

The character of the area is largely a product of the unified way in which buildings are designed and grouped together, giving each street coherence and identity and the existing buildings on the site contribute to that character. However, there is scope to improve the site to enhance the areas character and the streetscene and townscape. The infilling of current gaps at the site would repair the urban grain and reinforce the historic street network by defining active edges to streets and spaces.

It is considered that the scale and massing would not relate to the historic context and the area does not require a further landmark building. The design, materiality and detailing of the development would not deliver the quality that would improve the appearance and image of the city centre and would therefore have a detrimental impact on the regeneration of the wider area. The development would not be of the

quality expected on a major City Centre route. The proposal would undermine visual coherence and a more appropriate scheme with the level of quality that aligns with the regeneration aspirations for the city centre would equally address the current issues.

In terms of Historic England's guidance, the proposal would be harmful to the distinctive quality of place in the Shudehill Conservation Area and its setting and would be harmful to the significance of heritage assets. Its size and visibility would harm the qualities that are valued about the place. Similarly, at block and street level these impacts would be contrary to the advice in the Residential Development Quality Guidance not least due to its particular location within the Shudehill Conservation Area. The shift in scale is not justified, it would not reinforce local distinctiveness, the design would not be respectful of context, it would not provide an attractive place to live and for the reasons set out below would not align with Core Strategy Policy EN2 and Historic England's Tall Buildings Guidance Note in terms of Quality of Places, Heritage Impacts and Visual Impacts.

The overbearing nature of the tower and its overall bulk, accentuated by the overhang on the Interchange facing elevation, would have an adverse impact on the character and quality of the spaces around it.

### **Architectural Quality and Design**

The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures in its context. Scale and mass have been dealt with above, this section will focus on form, proportion, silhouette and materials.

The use of brick could be acceptable in the local context and the variation of brick types and contrasting brick detailing could provide some definition. However, the proposal does not respond to the detail, depth, modelling and interest that is core to the buildings and structures in the Shudehill Conservation Area. This is particularly evident from the Townscape and Visual Impact Assessment. This level of sophistication and detailing are critical to the special significance, character and appearance of the area. The use of heavy masonry and the bulk of the tower lead to an overbearing appearance in contrast to the lightweight nature of the CIS Tower and Glassworks



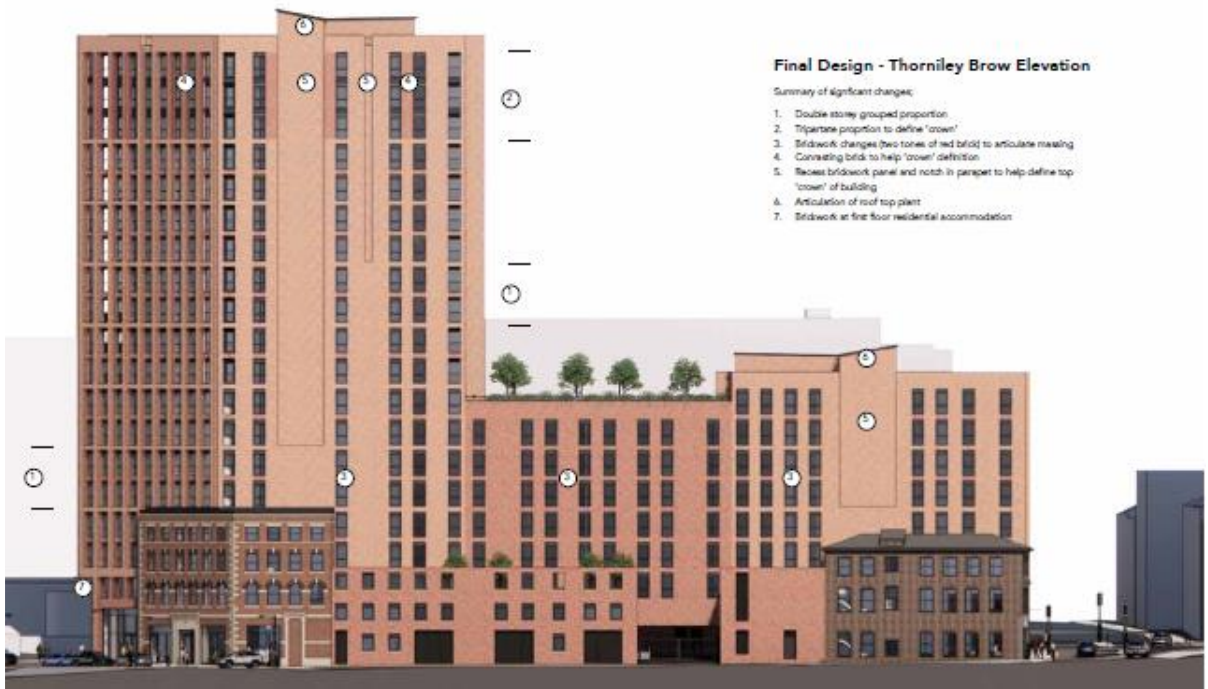
**Final Design - Transport Interchange Elevation**

Summary of significant changes:

1. Double storey grouped proportion
2. Tripartite proportion to define 'crown'
3. Brickwork changes (two tones of red brick) to articulate massing
4. Contrasting brick to help 'crown' definition
5. Recess brickwork panel and notch in parapet to help define top 'crown' of building
6. Articulation of roof top plant
7. Brickwork at first floor residential accommodation



**Façade facing Interchange**

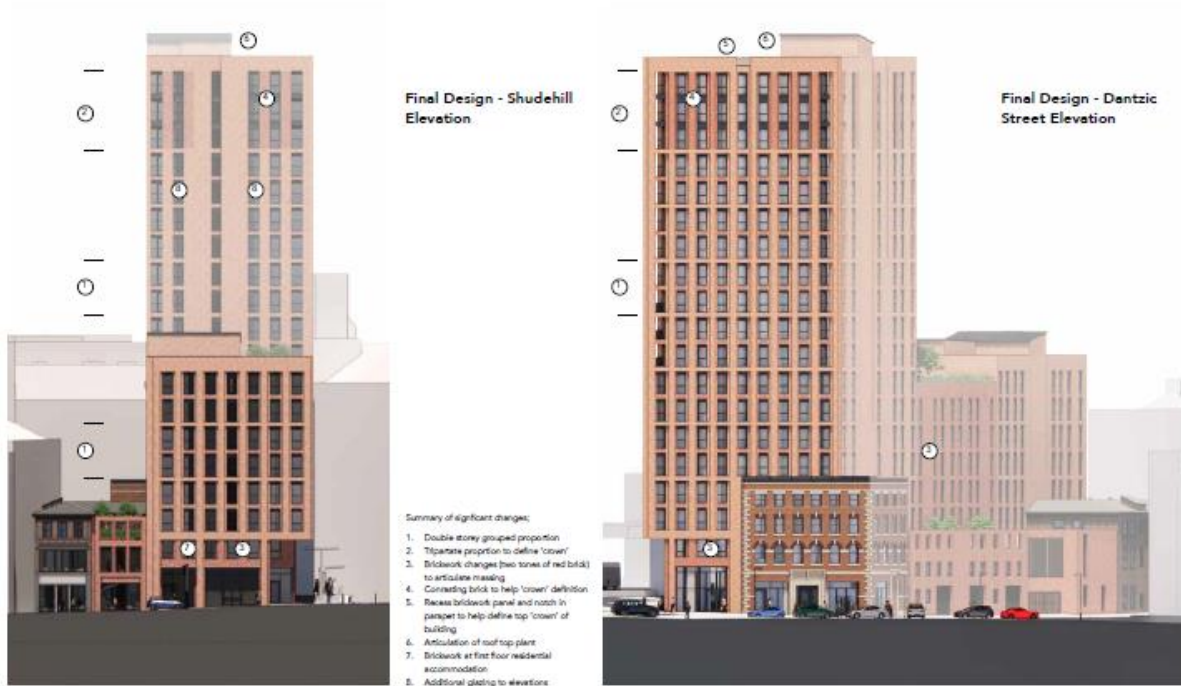


**Final Design - Thorniley Brow Elevation**

Summary of significant changes:

1. Double storey grouped proportion
2. Tripartite proportion to define 'crown'
3. Brickwork changes (two tones of red brick) to articulate massing
4. Contrasting brick to help 'crown' definition
5. Recess brickwork panel and notch in parapet to help define top 'crown' of building
6. Articulation of roof top plant
7. Brickwork at first floor residential accommodation

**Façade facing Thornily Brow**



**Facades to Shudehill and Dantzig Street - Variation of brick bonding / pattern to each 'Building' (lacks depth and modelling)**

The mass, height, footprint and scale would appear monolithic and incongruous and the design and appearance lacks distinctiveness. With the exception of the Dantzig Street and Shudehill elevation, there is no clear reference to the architectural character and context of the local area.

The elevations are flat and monotonous and lack definition and visual interest with limited modelling, interest and variation. The detailing and modelling to Thornily Brow is particularly poor, especially on the tower which adds visual weight and accentuates its inappropriate height.

Given these factors, the overall appearance would not be keeping with the Historic Warehouse and Mill typologies that form the sites context.

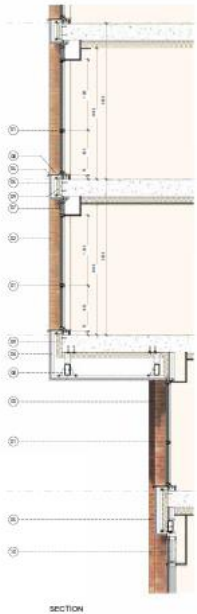


**Bay elevation detail to Shudehill and Dantzig Street**

BAY ELEVATIONS - ELEVATION TO TRANSPORT INTERCHANGE



ELEVATION



SECTION



METROLINK ELEVATION 10F2



METROLINK ELEVATION 20F2

**Bay elevation detail facing Transport Interchange illustrating lack of depth, modelling and detail.**

BAY ELEVATIONS - ELEVATION TO TRANSPORT INTERCHANGE



ELEVATION



SECTION



METROLINK ELEVATION 1

**Bay elevation detail to 'Dantzig' building facing Transport Interchange illustrating lack of depth, modelling and detail.**

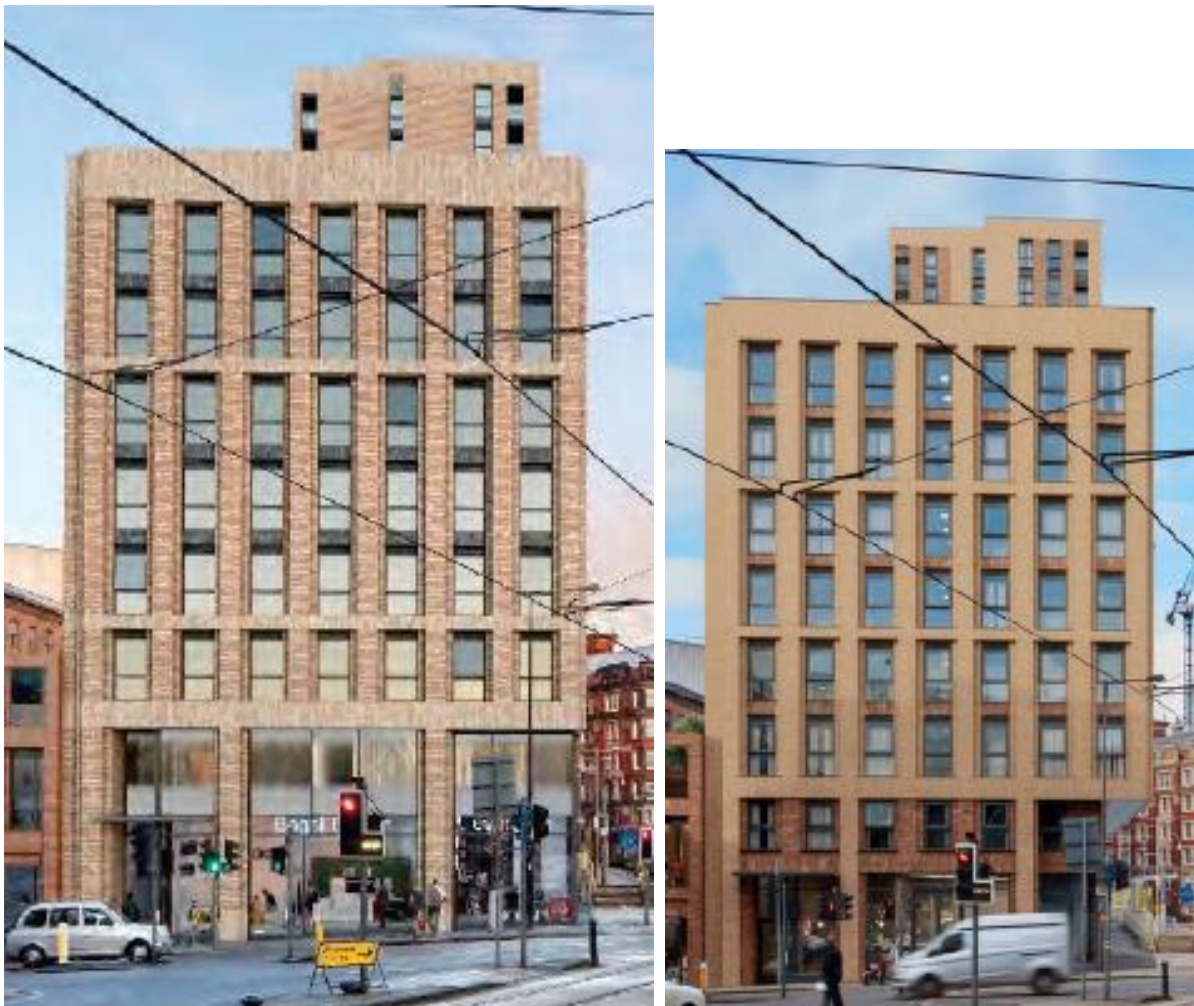
The singular use and solidity of the brick adds to the bulk, scale and monotony of the design. That solidity exacerbates the monotony in the elevations facing the Transport

Interchange and to Withy Grove and the lack of visual relief would accentuate the feeling of oppressiveness.

Historic England's Guidance states that high-quality architecture involves designing a tall building 'in the round' so it is coherent from all directions. The proposal would have a functional utilitarian appearance facing Withy Grove from where it would be highly visible.

A mix of retained historic fabric and traditional and contemporary materials such as those used at the Glassworks could provide more visual relief. The Polyester Powder Coated (PPC) window frames and metalwork would have a dull flat appearance and would not provide the same level of 'animation' as an anodised metal. The ventilation louvres at the head of the windows would further erode the design quality.

The richness of detail and visual appeal inherent to the elevations of the non-designated asset and the Grade II listed Victoria Buildings would contrast starkly with the new elevations (other than on Shudehill and Dantzic Street). The mismatching floor levels of the retained façade and the new elevations would be detrimental to the appearance of the scheme.



**Previous and now proposed view of ground floor illustrating erosion of lightweight, visually permeable and engaging ground floor (Shudehill)**

Historic England's Tall Building Guidance advocates that careful consideration is given to the proportion and rhythm of new buildings and differentiation of treatment between the lower part, a middle portion and a top part of a building, in order to add interest and better integrate new development within its context. Although there would be a degree of differentiation between the three sections, this would be limited and ineffective. The elevational treatment and consistent solidity of the building mean that the bottom, middle and top of the 19-storey tower are not sufficiently differentiated to create an attractive, high quality development.

The solid treatment at street level on the Interchange corridor in particular lacks animation and transparency, with limited street interaction and passive surveillance.



**Previous and now proposed view of ground floor illustrating erosion of lightweight, visually permeable and engaging ground floor (Dantzic Street)**



**Previous and now proposed view of ground floor illustrating erosion of lightweight, visually permeable and engaging ground floor (Elevation facing Transport Interchange)**

The new build elements would not complement the inherent character and special qualities of the area which is derived from the appearance of individual buildings including their materials, colours, form and scale, urban grain and townscape.

Overall the elevational treatment would:

- not complement adjacent heritage assets or character; nor respond to the urban fabric and building typology or distinctive design qualities of the conservation area;
- not be of excellent design quality or of the highest standard of appearance; would not reinforce local distinctiveness and sense of place and arguable could be located anywhere in Manchester or indeed any other city;
- be bland and monolithic on its 2 largest and most visible facades;
- the combination of materials would not create something memorable or respond effectively to a range of scales;

The form of development would impact adversely on its context to an unacceptable level. This is particularly exemplified by the lack of meaningful visual depth, the monotonous use of brick and brick detailing, the unsuccessful attempt at a 'tri-partite' subdivision and the failure to be coherent throughout. The level of retention of the Rosenfield Buildings would not restore or retain character and would not complement the existing heritage assets or transform them in a positive way. It would allow little appreciation of the scale, depth and form of this building.

### **Impact on Designated and Non Designated Heritage Assets and Visual Impact Assessment**

The key issues to consider : the justification for the loss of part of 29 Shudehill, the loss of most of Rosenfield Buildings; the appropriateness of a new building and infill extension of the height proposed; the impact on the character of the Shudehill Conservation Area and the setting of the adjacent grade II listed buildings and non-designated heritage assets; and, consideration of the impacts in the context of the requirements of the Core Strategy, Section 16 of the NPPF and Sections 16,66 and 72 of the Planning and Listed Buildings Act.

The Core Strategy seeks to ensure that new development complements the City's building assets, including designated and non-designated heritage assets. The impact on the local environment, the street scene and how it would add to its locality is also important. It is considered for reasons set out below that the proposal would not enhance or complement the character and distinctiveness of the area and would adversely affect established valued townscapes and landscapes, and adversely impact on important views.

The site can, and should, be improved or enhanced through a development of appropriate quality. This should preserve or enhance the special qualities of the historic environment and local amenity, and improve the appearance of the city

centre, meeting the aspirations of regeneration objectives. The current proposal would not deliver this.

Sections 66 and 72 of the Listed Building Act 1990 provide that, in considering whether to grant planning permission for development that affects a listed building or its setting, or which affects the setting or character of a conservation area, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and in determining planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Section 16 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. Paragraph 189 identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the assets' importance, sufficient to understand the potential impact of the proposals on their significance. Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposals.

The following listed buildings are potentially impacted by the proposal: 29 Shudehill, Victoria Buildings (Dantzic Street), CIS Building (Miller Street), Cooperative Society Building (Hanover Street), Holyoake House (Hanover Street), Redfern Building (Redfern Street), New Century House (Corporation Street), Hanover and E Block (Corporation Street), the Hare and Hounds, 10-20 Thomas Street, 75-77 High Street, 31-35 Thomas Street, 104-106 High Street, City Buildings (Corporation Street), the Corn Exchange (all Grade II) and Manchester Cathedral and Chethams Library (both Grade I).

Victoria Buildings, CIS Building (Miller Street), Cooperative Society Building (Hanover Street), Holyoake House (Hanover Street) are experienced in the same context as viewed along Dantzic Street at the core of the Conservation Area.

The site is in the Shudehill Conservation Area and adjacent to the Smithfield Conservation Area. Key aspects of the character of the Shudehill Conservation Area which would be impacted by the development are the setting of the surviving smaller scale properties on Withy Grove, Shudehill and Dantzic Street including the non-designated Rosenfield Buildings. There is potential for harm to the setting of the Smithfield Conservation Area in views of the proposal from within it.

The submitted Heritage Assessment considers that the Shudehill Conservation Area does not present coherence in terms of character or appearance which lessens its significance to a considerable degree. It considers that the existing site makes both negative and positive contributions to the character and appearance of the Shudehill Conservation Area.

The character of the area is largely created by the unified way in which buildings are designed and grouped together, giving each street coherence and identity. Red brick predominates in Shudehill. With the exception of some of the larger buildings on Corporation Street, the predominant scale and height are low, making this area

distinct from the wider surroundings and more “modern” neighbourhoods. The corner-emphasis characteristic of Manchester's Victorian and Edwardian architecture is a distinctive aspect of the area, as is the relatively tight urban grain of its buildings. This coherence and sense of distinct identity can be best observed at the core of the Shudehill Conservation Area, defined by Dantzic Street. Despite a degree of diversity, the area has a core of coherence in terms of character and appearance. Its designation and the continued protection as a heritage asset signifies special historic and architectural interest and a considerable degree of townscape cohesion.

There are aspects of the site that make both a positive and negative contribution to the Shudehill Conservation Area, but the core heritage assets i.e. 29 Shudehill and Rosenfield Buildings make an important and positive contribution to its character, history and appearance, despite the negative issues with deterioration, inappropriate additions and partial demolition. Their scale, mass, orientation, form and appearance continue to complement the inherent qualities of the conservation area.

### Visual Impact and Heritage Assessment

A Heritage Assessment and Townscape and Visual Impact Assessment (TVIA) used Historic England’s updated policy guidance on the Setting of Heritage Assets (Historic Environment Good Practice Advice in Planning Note 3, Second Edition). (December 2017) and Guidelines for Landscape and Visual Impact Assessment (GLVIA) Third Edition (2013). The extent of the impacts is identified as high, medium, low, negligible or neutral.



### TVIA and Heritage Assessment viewpoint locations

The visual impact assessment, analysed 18 verified views before and after development, including cumulative impacts. Computer modelling has provided accurate images that illustrate the impact on the townscape from agreed views on a



360-degree basis which allows the full impacts to be understood. 11 views have been analysed to provide a qualitative assessment of the effects on heritage assets. Cumulative impacts are shown in wirelines.

The TVIA considers impacts on Town Centre Character Areas within 500m of the site, which include Victoria; North Manchester; Chapel Street; and the Retail Core; Views in each area have been assessed as follows: Victoria – 3,4,5,7,8,14 and 12; North Manchester- 10,11,12,14 and 16; Northern Quarter – 1,2 and 18; Chapel Street – 13; and Retail Core- 6,17 and 19.

Those who would be impacted in terms of their experience and perception include residents and visitors, those passing in cars or on public transport and users of public spaces.

The TVIA concludes that the extent of effect would be as follows: Victoria – Variable depending on nature of view, urban grain and influence of the conservation areas but medium to high in areas of public open space where the development is clearly visible; North Manchester- variable due to fragmented and incoherent townscape character; Northern Quarter – variable but highest where streets and view are aligned with the development; Chapel Street – minor or negligible; and Retail Core- minor or negligible.

The TVIA and Heritage Assessment sets out the following as mitigation for any harm caused to town and streetscape and heritage assets:

- Retention of high significance element of 29 Shudehill comprising the front wing of which would be fully restored to preserve and safeguard the future longevity of this section of the building;
- Part retention of the central section of 29 Shudehill with the ‘cutline’ purposefully located to enable the preservation of the high significance unmodified truss to the front section of the building;
- Demolition of the 20<sup>th</sup> century extension to the rear of 29 Shudehill and the rear wing identified in the submission as having no significance;
- Alignment of the proposed development to restore the historic building line and enhance the setting of 29 Shudehill and the character and appearance of the Shudehill Conservation Area by creating active frontages;
- Stepping the scale and massing of the proposed development away from the frontage in order to respect the historic scale and massing of the street but also in response to the taller scale seen towards Dantzic Street and the Metrolink Tram stop;
- The expression of the massing of the development in 3 blocks to mitigate any sense of unrelieved oppressiveness;
- The external façade design being in keeping with the historic Warehouse and Mill typologies found extensively nearby and across the city. This comprises elevations ordered into a regular vertical rhythm with the regular fenestration intended to provide a sense of scale which is in keeping with the buildings and window openings within the conservation area;
- Provision of full height windows to provide high levels of natural daylight internally and enhanced visual connectivity of residents to the outside;
- Provision of balconies which include corner balconies to open up the building and alleviate the sense of mass;

- Provision of a communal terrace at level 7;
- Use of a mix of brick tones and soldier course detail;
- Provision of active frontages and enhancement of public realm.

Overall Officers consider that in terms of Townscape and Heritage Impacts the proposals would:

- Erode the quality of the townscape and visual interest of the area and views under consideration;
- Erode the value of the historic, architectural and group interest of the heritage assets affected;
- Erode the contribution the heritage assets (individually and collectively) make to the character and townscape of the area under consideration;
- Erode the contribution the setting makes to the special significance of heritage assets;

A summary of the views within the TVIA and Heritage Assessment of impacts compared with Officers is set out below.

| Viewpoint | TVIA Assessment             | Heritage Statement Assessment | Officers Assessment TVIA | Officers Assessment Heritage Assessment |
|-----------|-----------------------------|-------------------------------|--------------------------|---|
| 1         | Minor Beneficial            | Minor Beneficial              | Moderate Adverse         | Moderate Adverse                        |
| 2         | Moderate Beneficial         | Minor Beneficial              | Minor Adverse            | Moderate Adverse                        |
| 3         | Negligible                  | Neutral                       | Negligible               | Neutral                                 |
| 4         | Negligible                  | Negligible                    | Moderate Adverse         | Moderate adverse                        |
| 5         | Medium Beneficial           | Minor Beneficial              | Major Adverse            | Moderate Adverse                        |
|           |                             |                               |                          |   |
| 6         | Moderate (minor) Beneficial | Minor Adverse                 | Moderate Adverse         | Moderate Adverse                        |
| 7         | N/A                         | Minor Adverse                 | Major Adverse            | Moderate Adverse                        |
| 10        | Minor Beneficial            | N/A                           | Moderate Adverse         | Minor adverse                           |
| 13        | Minor Beneficial            | Negligible                    | Moderate Adverse         | Minor Adverse                           |
| 17        | Minor Beneficial            | Negligible                    | Minor Adverse            | Minor Adverse                           |
| 18        | Minor Beneficial            | Minor Adverse                 | Moderate Adverse         | Moderate adverse                        |

The reasons for the above conclusions are set out in detail below.



View 1 from High Street Baseline



View 1 from High Street Proposed

**Baseline** – The view looks north from Smithfield Conservation Area across the Shudehill Conservation Area. The TVIA describes this view as having a fragmented, incoherent pocket of mixed townscape character with focus on the site and a core pocket of historic buildings. There is a clear view of the site which is influenced by the distant towers of New Victoria and Shudehill Interchange with the northern horizon dominated by the CIS Tower, although it is in fact New Century Hall and Multi Storey Car Park. It describes this viewpoint as having **high townscape value with overall medium sensitivity to change**.

The Heritage Assessment notes that the Grade II listed building at 29 Shudehill is glimpsed to the left, with the rear section of the Rosenfield Buildings behind. The Shudehill Bus Station dominates the right, its glazed curtain wall forming a dominant feature in the townscape. To the right is the Glassworks which is a distinct landmark.

The foreground is dominated by the Metrolink and road infrastructure which has compromised the historic setting to the Shudehill Conservation Area and surrounding heritage assets. It demonstrates a clear lack of cohesion within the streetscape, and how the gap site to the north of 29 Shudehill is a negative contributor to its setting; this is exacerbated by lack of activity and dereliction at the site as a whole.

In the far distance, the large-scale buildings in the NOMA estate and the Printworks enclose the view. The grouping of New Century House, the CIS Tower and the Co-operative Society building (all Grade II) form a coherent group and make a positive contribution to long-range views from the Shudehill Conservation Area

**Officers** consider this view to be a good visual representation of the historic infrastructure in and in the immediate setting of the Shudehill Conservation Area and its collective contribution to the area's character and appearance. It represents the important group interest and landmark quality of the Cooperative Buildings which includes the Grade II listed Cooperative Society Building, the Grade II listed Cooperative Wholesale Society and New Century Hall (rather than the CIS tower as identified above). The portion of the listed building to be demolished is prominent in this view. Officers consider that this makes an overall positive contribution to the sense of place and history of the area. Despite the current site condition and adverse past alterations to 29 Shudehill, its heritage significance and mass, form and appearance, complement to the streetscene and character of the conservation area.

Officers agree that the site is fragmented and disjointed, but the wider townscape of the conservation area has visual cohesion, a result of the complementary massing, layout and form of its buildings.

**Townscape Impact** – The TVIA considers that the magnitude of impact would be moderate beneficial in both visual and townscape terms as the lower half of the proposal would relate well to its neighbours and balance the effects of the Glassworks, relating well to the CIS tower acting as a terminus to this view. Overall, it concludes that the significance of effect would be **minor beneficial**.

**Officers** consider that the development would be prominent in the foreground and create a new visual focus, at the gateway into the Shudehill Conservation Area. The tower would overshadow the neighbouring Grade II listed 29 Shudehill and Victoria Buildings and have an adverse impact on the group interest and prominence of them. In kinetic views it would appear as intrusive and out of place as part of the otherwise domestic scaled and cohesive terrace at the north side of the Shudehill corridor.

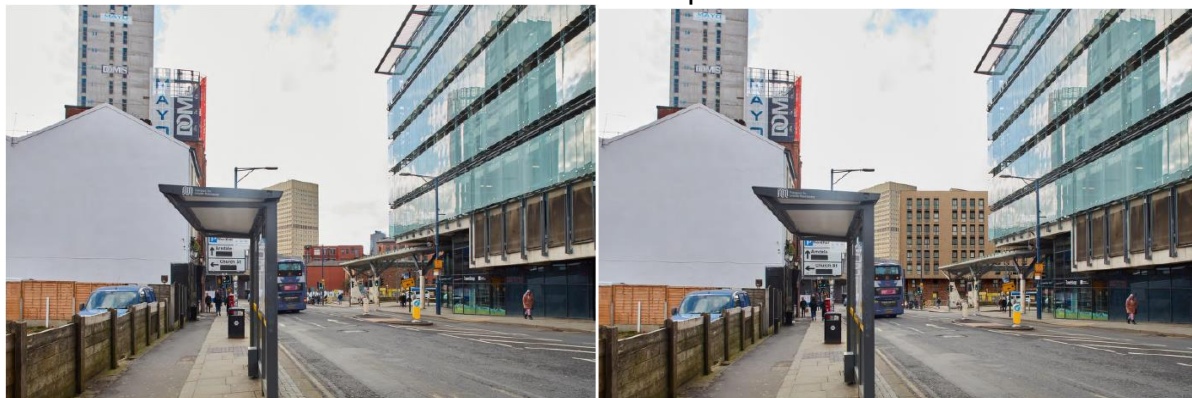
The tower would introduce an intrusive element to the skyline, detracting from key focal landmarks and disrupting their collective interest as experienced in this view. It would contrast to the more lightweight and attractive elevations of the glazed towers of the 20<sup>th</sup> century heritage assets and introduce an incongruous scale and mass into the context of the Shudehill Conservation Area. The glanced view onto the Grade II listed Cooperative Wholesale Society would be blocked, and the attractive and prominent corner façade of the Federation Building obscured.

Officers recognise that the development would improve the frontage and cohesion of the site, delivering a continuous built form across the Shudehill and Interchange corridors. Nevertheless, due to the negative townscape and visual impacts of the development as a consequence of its size, appearance and mass, on balance Officers consider the impact would be **moderate adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment considers that indirect heritage impact on the heritage assets would be minor beneficial. The *relative* heritage interest of the Grade II listed building at Shudehill is limited to its historic exterior (upper portion). Their historic setting has been eroded piecemeal over time, and the area is now dominated by modern infrastructure and largely devoid of historic character. It concludes that the proposal will result in considerable visual change with the introduction of a contemporary new element, it would nonetheless knit well into the townscape and deliver an overall minor beneficial impact on the urban form, streetscape and pedestrian environment, through the redevelopment of an underutilised city centre site and active frontages at ground level.

**Officers** consider that the development would result in a considerable change in this view, eroding the visual characteristics at the gateway into the Shudehill Conservation Area, in part derived from the portion of 29 Shudehill to be demolished. The new building would appear as out of proportion and scale with the Grade II listed 29 Shudehill and Victoria Buildings, eroding the prominence and interest derived from their group interest and immediate setting. The tower would be prominent in the skyline and detract from the landmark interest of the Grade II listed New Century House and the strong group interest of cooperative enclave.

On the above basis Officers consider that the impact would be **moderate adverse**.



View 2 Shudehill Baseline

View 2 Shudehill Proposed 1

**Baseline** -The TVIA notes that this view is from outside of the conservation area and considers it to be in an area of mixed townscape. It is dominated by the Glassworks, the Multi Storey Car Park and Arndale Tower which forms a landmark on the horizon. The townscape character is fragmented and incoherent and capable of accommodating change. The **high** townscape value due to the setting of the Shudehill Conservation Area is acknowledged and the townscape sensitivity to change would be **medium**.

The Heritage Assessment adds that the Hare and Hounds Public House can be seen to the left with the Shudehill bus Station to the right. It points to a stark contrast between the two buildings demonstrating the mixed character, scale and materiality which is evident throughout the conservation area. The Glassworks to the left denotes the changing character of the area with regards to height and materiality.

29 Shudehill is visible just beyond the tramlines but does not best represent the special interest of the Grade II listed building, which is best understood and appreciated from Nichols Croft looking north (View 1).

**Officers** consider that although the view may not best represent the special interest of the Grade II listed 29 Shudehill and the Grade II listed Victoria Buildings, they are important markers of the scale, form and traditional materials that characterise the area at the gateway onto the Shudehill Conservation Area.

The site makes a mixed contribution to the overall quality and standard of the local townscape. It appears disjointed and fragmented but the 19<sup>th</sup> century buildings collectively add to the sense of place and local distinctiveness the area.

**Townscape Impact** -The TVIA considers that the magnitude of impact would be **moderate beneficial** stating that the proposals would fit in well and enhance the townscape character and view. The significance of impact to be **moderate minor beneficial** with both brickwork and form making a positive and consistent contribution to townscape character.

**Officers** consider that the contribution that the existing assets make to the sense of place and history would be eroded by the scale, form and appearance of the development, with views onto the elevations and roofline of these important 19<sup>th</sup> century buildings blocked. The proposed Interchange façade is not considered to be

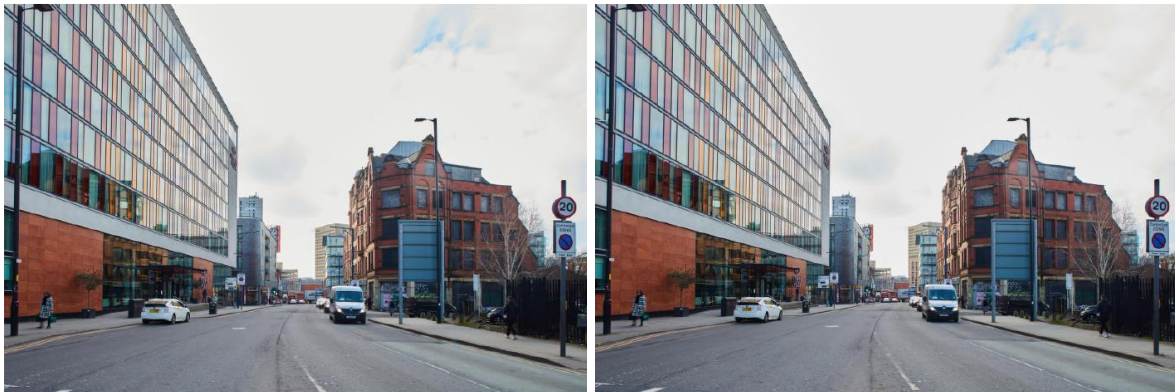
visually attractive and would contrast to the quality of the more lightweight and vibrant Shudehill Interchange.

Despite improvements to the street frontage and urban grain of the site Officers consider that the overall impact would be **minor adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment considers that the indirect impact on the heritage assets would be minor beneficial. The elevation of the Grade II listed Victoria Buildings and 29 Shudehill will be blocked, but this is not the best place to understand and appreciate their special interest. The mass and scale of the proposal would be contextual, and the effect would be positive, as it would knit together an area dominated by gap sites and poor permeability. The “careful use of red brick detailing” would blend the new development in its context.

**Officers** consider that the proposed demolition, form, scale and appearance of the development, would result in an adverse visual change, eroding the distinctive visual characteristics at the gateway into the Shudehill Conservation Area. It would be out of proportion and scale with the Grade II listed 29 Shudehill and the Grade II listed Victoria Buildings, where a glimpsed view would be lost. These assets make an important contribution to the experience of the area, being an integral part of the ‘historic’ edge of the Shudehill Conservation Area, which continues up Shudehill and Withy Grove.

The design and appearance of the proposal would not reflect or complement the local vernacular and would not maintain the area’s strong sense of place and history. On the basis the overall impact on the heritage asset as perceived in this view would be **moderate adverse**.



**View 3 Baseline from Shudehill 2**    **View 3 Proposed from Shudehill 2**

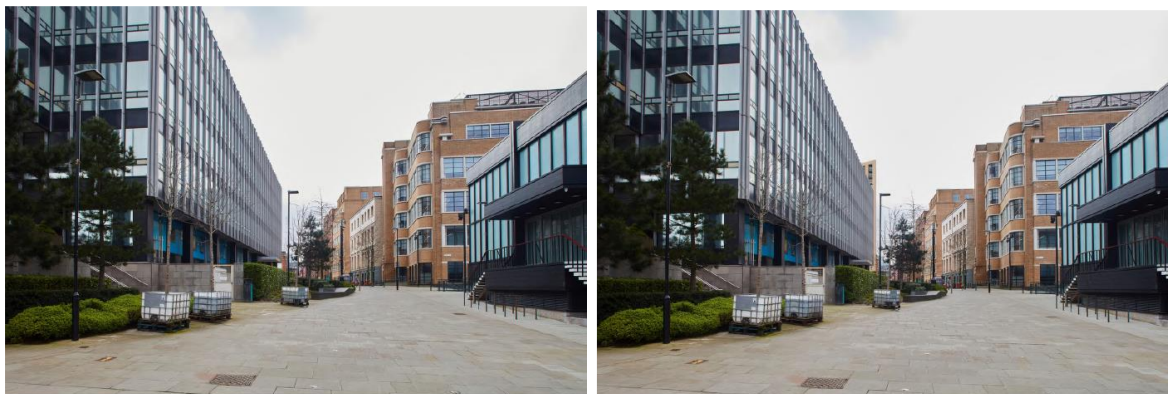
**Baseline** – The TVIA notes that this view is from outside the conservation area, but the site would be viewed in its setting and therefore has a high value. There is no particular focus, and it is dominated by the Crown Plaza Hotel with Glassworks in the background. The townscape value is considered to be **high** due to adjacency to the Shudehill Conservation Area and being within its setting. The susceptibility of the townscape to change is identified as **medium**.

The Heritage Assessment notes that beyond the hotel there is an eclectic mix of 19th century and contemporary architecture seen in conjunction with one another, demonstrating the mixed character of the area. Glassworks is to the far left. The site

is largely eclipsed in the middle distance and the view does not best represent the heritage interest of heritage assets.

**Townscape Impact** – As the proposal is largely shielded by intervening buildings impacts are considered to be **negligible**. Officers agree with this conclusion.

**Impacts on Heritage Assets** – The Heritage Assessment considers that there would be negligible perceptible change as a whole; and the overall impact would be **neutral** on the historic environment. Officers agree with this conclusion.



**View 4 Dantzic Street/ Miller Street Baseline**    **View 4 Dantzic Street/ Miller Street Proposed**

**Baseline** - The TVIA describes this view as representative of the historic streetscape framed by modern buildings, with a balanced and coherent character. The townscape value is judged to be medium, with sensitivity medium. The view has no particular focus and has low value, with medium value of visual sensitivity. The proposal would be barely visible behind the CIS building and the impact of the development would be negligible.

The Heritage Assessment notes the increasing importance of this view along Miller Street and Dantzic Street which provides a key pedestrian connection through the NOMA site. It notes that the view is dominated by the CIS building (Grade II) whose heritage significance is well represented, and that this clearly expresses the connections to the adjacent Grade II listed buildings which define the north edge of Hanover Street, including; New Century Hall, the Cooperative Buildings and Redfern. It considers that the listed buildings are read as a collective group which respond to each other in terms of historic significance, despite the obvious disparities in materiality and character. The resultant value of the streetscape setting is defined by this eclectic mix in character, form, and scale.

**Officers** consider that this view represents an inherent consistency in mass, scale and height of historic and modern frontages that address Dantzic Street, at the core of the Shudehill Conservation Area, creating a distinctive and attractive vista best experienced travelling north and south along this key pedestrian route.

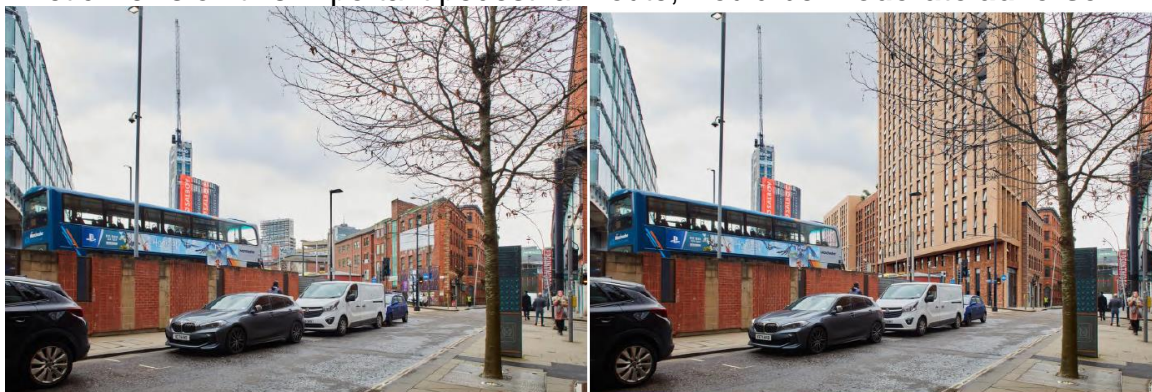
**Townscape Impact** – The TVIA considers that the development would be barely visible behind the CIS podium and the impact overall is negligible.

**Officers** consider that the impact of the development would be limited in this isolated static view, but not negligible. The impact on the visual experience, kinetic views and

appreciation of this important route at the core of the Shudehill Conservation Area and its special qualities needs to be considered. The urban environment and townscape are experienced in 3D rather than through static views which can have limited value. As you move south along Dantzic Street towards the interchange, and to the west edge of the street, the proposal would be experienced as an over dominant and intrusive element and erode the special qualities of the local townscape derived from its distinctive skyline, scale, mass, height and relationship of the buildings. The scale and height of the proposal would undermine the prominence and group value of the CIS Tower, Cooperative Society Building, New Century House and Holyoake House, all Grade II listed, with an adverse impact on their significance. The extent of brickwork would exacerbate the adverse effect and directly contrast with the lightweight towers of the 20<sup>th</sup> century heritage assets. When considering the static view, kinetic views and the general experience of the development in this location Officers considered that the impact of the development would be **moderate adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment assesses the change to the composition of the view would be negligible. The development would become increasingly visible in kinetic views travelling south along Miller Street, but the relative visual impact on the ability to understand and appreciate the special interest of the CIS Tower within the context of the NOMA site would be **negligible**. This does not mean that there will be no physical or visual change, rather that the resultant difference would not diminish the value of the heritage assets' significant physical fabric, their settings or significance to any appreciable degree.

**Officers** consider that the tower would be entirely out of character, out of place and out of scale with the streetscene and introduce an intrusive and excessive new focus in the skyline in kinetic views. This would have an adverse impact on designated and non-designated heritage assets within and in the setting of the Shudehill Conservation Area. The group interest of these heritage assets, their relative prominence and the positive contribution the setting makes to their significance, would be eroded. This would cause a degree of harm to their heritage interest and consequently, the impact on the conservation area would be negative. The cumulative impact of the proposal on the special interest of the Shudehill Conservation Area and the Grade II listed Victoria Buildings, in this view and other kinetic views on this important pedestrian route, would be **moderate adverse**.



View 5 Dantzic Street Baseline 2

View 5 Dantzic Street Baseline 2

**Baseline** – The TVIA identifies the townscape as fragmented this view with **low** susceptibility to change but a high value due to its central location in the Shudehill



Conservation Area. It is typical rather than being a focal point. Glassworks now provides additional vertical interest. The townscape sensitivity is assessed as **medium** but with higher value due to it being in the conservation area.

The heritage assessment acknowledges the increasing importance of this street. The view is dominated at street-level by the bus station, Metrolink and 18-20 Dantzic Street. The bus station and car park make a negative contribution to the character and appearance of the conservation area. 18-20 Dantzic Street conveys a much-needed sense of historic character to the streetscape and it, together with Victoria Buildings make a positive contribution to the Shudehill Conservation Area. The extensions and insensitive alterations to the warehouse have comparatively lesser significance and detract from rather than complement the conservation area.

**Officers** note that the view shows the harmonious scale, mass and height of the frontages which represent the distinctive character of Dantzic Street. It illustrates the important group value of the Grade II listed Victoria Buildings, 18-20 Dantzic Street and the Grade II listed 29 Shudehill and their positive contribution to the area's sense of place. The prominence and visual influence of the corner site under consideration is also demonstrated. It illustrates how the Rosenfield Buildings make an important contribution to the character and interest of the local townscape. This view forms a sequential point along a key pedestrian route through Dantzic Street, at the core of the Shudehill Conservation Area.

**Townscape Impact** – The TVIA assesses the proposal to be **moderate beneficial**. It concludes that it will enhance the townscape due to its consistent form and materials and deliver a noticeable improvement.

**Officers** consider that the proposal would be entirely out of scale and out of place in the streetscene and context of Dantzic Street. The tower would be overbearing and would erode the harmony created by the street's frontages.

The appearance of the proposal would not upgrade the appearance of this prominent pedestrian and public transport junction, failing to preserve or improve the current situation, where corner interest is provided by the attractive and considered Rosenfield Building. The constant and uniform brick elevation of the tower would fail to reflect the level of detail and well-balanced order of the elevations of the Grade II Victoria Buildings in the background. Officers consider that the overall townscape and visual impact would be **major adverse**.

**Impacts on Heritage Assets** –The Heritage Assessment notes that the proposal would be highly visible and introduce a contemporary building of a competitive scale. The retention of the 19th century façade of 18-20 Dantzic Street would in part mitigate the loss of the building, through the positive contribution the façade makes to the Shudehill Conservation Area. This would result in minor adverse direct physical impact would on balance reduce the cumulative impact on the historic environment to a minor degree. The use of red brick to the ground floor reflects that of the retained façade and that of the Grade II Victoria Buildings.

The height, massing and materiality of the proposal would be in keeping with the scale of neighbouring buildings in the Conservation Area, including the CIS Tower and New Century House and is similar to the height and scale to Glassworks.

The proposal will replace the gap site and re-establish a sense of coherence and unity within the townscape. The active ground floor frontage will enhance the pedestrian environment and make a positive contribution to the character of the streetscape. The design of the building and positive response to the character of Victoria Buildings it would be positive addition to the visual composition of the street. The careful attention to the materiality ensures the adverse visual impact (through the partial loss of the Rosenfield Buildings) is appropriately balanced.

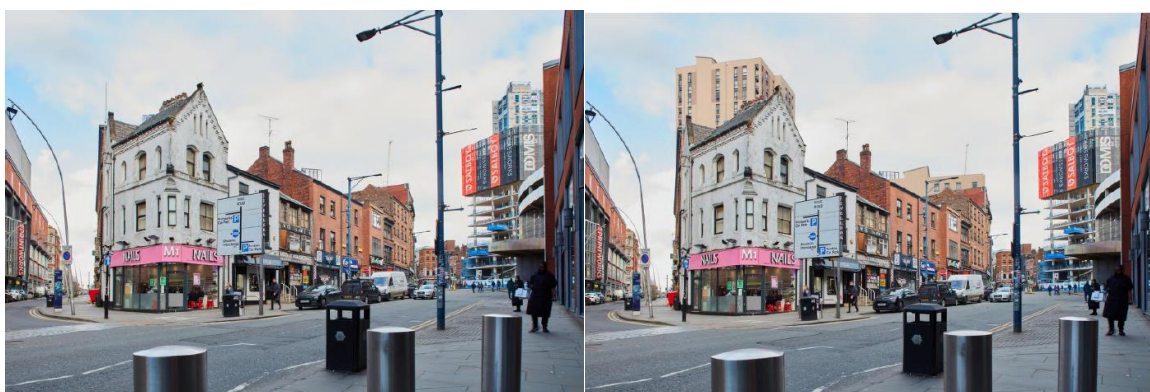
It considers that the development will be highly visible from this location but will not intrude on the ability to appreciate the architectural and historic interest of the heritage assets to any appreciable degree and when considered as a whole, would result in a **minor beneficial** impact on the Shudehill Conservation area.

**Officers** consider that the proposal would not complement the distinctive character and townscape of this core part of the Shudehill Conservation Area, defined by the harmonious scale, mass and predominant height that lines Dantzic Street.

The loss of the Rosenfield Buildings, which form an important historic group with these assets, as well as the proposed form, mass and appearance of the proposal would erode the prominence and appreciation of these assets. The mass, scale and height, the tower would have an adverse impact on the immediate setting of Victoria Buildings and 29 Shudehill both Grade II listed

The façade retention of the Rosenfield Buildings would not compensate for the negative impact of the proposal on the historic environment, as this would fail to preserve or enhance the positive contribution the non-designated asset makes to the Shudehill Conservation Area and the setting of the two Grade II listed buildings.

Officers consider that the development would have a **moderate adverse** impact on the Shudehill Conservation Area and the Grade II listed Victoria Buildings.



View 6 Withy Grove 1 Baseline

View 6 Withy Grove 1 Baseline

**Baseline** -The TVIA aggregates views 6 and 7 which are on the edge of the Shudehill Conservation Area and demonstrate the historic nature of the street pattern with its variable roof line and building styles. The sensitivity to change is **medium** and change needs to be handled with sensitivity and respond to the surrounding context and street pattern. Due to the conservation area location the townscape sensitivity as **medium**. The Heritage Assessment notes the distinct change in character between the historic scale, height and massing of the buildings on Withy Grove in contrast to the large-scale, contemporary buildings of the Shudehill Transport Interchange. The

residential blocks to the north end of Shudehill, highlight the lack of a cohesion to the character and appearance of the Shudehill Conservation Area as a whole.

**Officers** consider that the view is dominated by the 2 and 3-storey buildings on Withy Grove whose gently undulating roofline and brick elevations create an attractive and cohesive streetscene with a strong frontage. The Withy Grove terrace creates a strong edge to the Shudehill Conservation Area, indicative of the limited scale and tight urban grain of the historic buildings in the conservation area. The view forms a sequential point on a key Withy Grove/Shudehill transport and pedestrian route, where the Grade II listed CIS tower emerges as an important landmark to the west.

**Townscape Impact** – The impact of the proposal would be moderate as the higher part rises above the streetscape. This would not be overwhelming and would complement the townscape which includes the CIS Tower and Glassworks. The brickwork would echo that of neighbouring building and make a positive contribution to townscape character. The effect is **moderate minor beneficial**.

**Officers** consider the proposal would introduce a disruptive element to the skyline. The tower and lower elements would protrude above the roofline of Withy Grove and its unsympathetic and inappropriate appearance would fail to complement the composition. The flat and monotonous ‘rear’ elevations, would be the focus of this view, and would have a negative impact detracting from the quality and interest of the Withy Grove terrace. In kinetic views, the monolithic brick elevations would contrast with the lightweight and well-designed elevations of the Grade II listed CIS Tower and the Glassworks. Officers consider that the overall townscape and visual impact is considered to be **moderate adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment notes that the proposal will be visible over the roofline of the 19th century buildings on Withy Grove. None of the buildings are listed or formally identified as non-designated heritage assets. The mixed architectural character demonstrates the Shudehill Conservation Area can accommodate greater change and scale than most designated areas. The scale of the proposal would not be out of character when assessed alongside the NOMA estate, the Printworks and Glassworks.

The height and scale of the proposal would change the composition of the view considerably, but as a whole it would have an overall **minor adverse impact** on the historic environment taking into consideration that the view does not contain or best represent any listed buildings but does represent a more historic part of the Shudehill Conservation Area.

**Officers** consider that the development would detract from the strong edge of the Shudehill Conservation Area eroding the area’s visual quality and the harmony of scale, height and mass of its buildings, which are core to its special interest. It would undermine the positive contribution the terrace makes to the character and townscape of the Shudehill Conservation Area. The impact would be accentuated as the Thornily Grove elevation would be highly visible and would lack a comparable degree of quality and detailing. Its relationship to the appearance of the existing collection of these historic frontages would not be acceptable.

In kinetic views, the development would conceal views onto the CIS Tower, with the tower contrasting with the lightweight glass structure of the Grade II listed building. This would add another layer of harm to the historic environment, detracting from the special architectural interest, appreciation and townscape prominence of this iconic 20<sup>th</sup> century asset.

Officers consider that the impact of the development on Shudehill Conservation Area would be **moderate adverse**.



Viewpoint 7 Withy Grove 2 Baseline

Viewpoint 7 Withy Grove 2 Proposed

**Baseline** – See View 6 for TVIA

The Heritage Assessment describes this view as taken from the busy, pedestrianised street at Dantzig Street with the Printworks to the left and the Grade II listed Victoria Buildings the right. The listed buildings create a coherent and uniform façade to Dantzig Street and make a positive contribution to the Shudehill Conservation Area and the character of the streetscape. Beyond this, the Rosenfield Buildings has a similar scale and materiality to Victoria Buildings.

The CIS Tower and Co-op HQ building in the far distance denote the competitive scale of buildings which dominate the northern aspect of the Shudehill Conservation Area. The prominent view of the rear service tower of the CIS Building as emphasises the ancillary character of the street, which is being transformed by the regeneration of the former Co-operative group buildings. It concludes this is not the best point from which to understand and appreciate the special interest of the listed building in the far distance (see also 6 above in terms of the TVIA).

**Officers** consider that collectively the 19<sup>th</sup> century buildings on the east side of the Dantzig Street make an important contribution to the character, appearance and distinctive sense of place of the Shudehill Conservation Area. The architectural, aesthetic and group interest of Victoria Buildings and 18-20 Dantzig Street are well-represented in this view.

In the distance, the Grade II listed CIS Tower is a prominent landmark. Its innovative lightweight glazed elevations make a positive contribution to the skyline and represent a successful visual transition between the historic frontages of Dantzig Street and the modern NOMA estate. The building is located outside of the Shudehill Conservation Area, with impact on its setting and not on the conservation area's inherent townscape and visual character.

This view forms a sequential point along a key pedestrian route along Dantzig

Street, at the core of the Shudehill Conservation Area.

**Townscape Impact** – See View 6 above for TVIA.

**Officers** consider that the impact of the proposal would be excessive and unsympathetic in its context, appearing out of the scale and out of character. Its appearance and scale would erode the quality and cohesion of the urban edge on the east side of Dantzic Street. The prominent but plain and flat ‘rear’ elevations of the 19-storey block would introduce a new focus to the skyline, blocking the attractive view onto the CIS Tower and contrasting with the scale, massing, and architectural treatment of the buildings at the forefront. Consequently, there would be an adverse impact on the sense of place, distinctive character and quality of the townscape as perceived in this view. Officers consider that the overall impact would be **major adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment states that the proposal will be highly visible resulting in a much-changed composition to the streetscape. It considers however that key elements, such as the continual façade of the Victoria Buildings will remain fully appreciable although the dominant height and scale of the proposal will result in the loss of views towards the Grade II listed CIS Tower.

This is not a particularly sensitive view, and kinetic views of the Grade II listed CIS tower will remain fully appreciable when travelling north along Dantzic Street. The retention of the Rosenfield façade will ensure the overall historic character of the streetscape is retained at street level, whilst the development as a whole will reactivate a currently underutilised part of the Conservation Area and bring the site back into active use.

The CIS tower will remain fully appreciable from other points, but recent developments to the north of the NOMA estate around Victoria Station and the MODA tower have limited the visibility of the CIS in recent years. This cumulative impact has been considered within this assessment and reflected within the overall ‘significance of effect’. Give the loss of clear views of the CIS tower the impact is considered as **minor adverse**.

**Officers** consider that the near total demolition of 18-20 Dantzic Street would have an adverse impact on the special interest of the Grade II listed Victoria Buildings and the Shudehill Conservation Area.

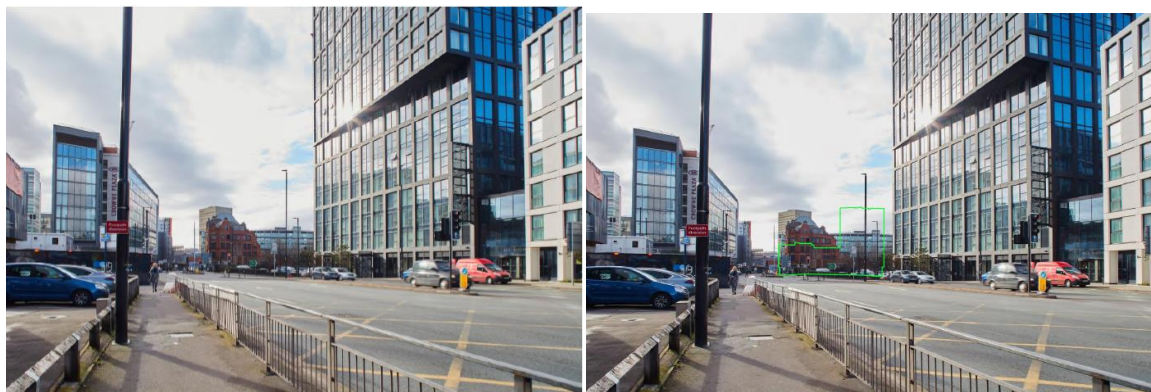
Its scale, mass and height, in a view dominated by the 19<sup>th</sup> frontages, would not preserve or enhance the distinct townscape character of the Shudehill Conservation Area. It would have an adverse impact on the setting, prominence and appreciation of the Grade II listed Victoria Buildings and harm to its special significance. The tower would block an important view onto the Grade II listed CIS Tower and erode some of its landmark quality and appreciation in this view.

The design and appearance of the south-west elevation of the tower view would fail to reflect and complement the quality and architectural interest of the area’s historic buildings. It would appear as visually detached from its context and detract from the attractive and well-conceived 19<sup>th</sup> century facades on the east side of Dantzic Street.

Officers consider that the collective impact on the heritage assets (the Grade II listed Victoria Buildings, the Shudehill Conservation Area and Grade II listed CIS Tower) would be **moderate adverse**.

**View 8 No impact site not visible from this viewpoint**

**View 9 No impact site not visible from this viewpoint**



**View 10 Rochdale Road Baseline**

**View 10 Rochdale Road Proposed**

**Baseline** -Within the TVIA this view is considered to have **low** susceptibility to change as the area has substantial ability to accommodate change without undue harm. It is dominated by the Arndale tower, Glassworks and Angel Gardens and no designated assets can be seen.

**Officers** consider that the domestic scale red brick frontage of the early 20<sup>th</sup> century building at the Mayes Street/Shudehill intersection marks the entry into the Shudehill Conservation Area and represents a distinct change of scale between buildings in the conservation area and the surrounding development to the north and east.

**Townscape Impact** – The TVIA assesses the magnitude of effect as being **minor beneficial** as the proposal would read as matching the scale of the Arndale Tower.

**Officers** consider that the tower would challenge the distinctive qualities of the Shudehill Conservation Area where it emerges as an ‘enclave’ of lower scaled development in its context. Consequently, the development would erode the area’s sense of place.

The design of the north-east elevation would not be distinctive, contextual or architecturally appropriate and would not make a positive contribution to the regeneration of this part of the city centre. Officers consider that the overall townscape and visual impact would be **moderate adverse**.

Although this view has been omitted from the Heritage Statement, Officers consider that there would be a degree of adverse impact on the Shudehill Conservation Area due to the perceptible change of scale and new visual focus that the development would introduce in the context of the area’s 19<sup>th</sup> and 20<sup>th</sup> century building stock. The architectural treatment would fail to deliver a contextually sympathetic proposal and would not add to its the areas sense of place and distinctiveness.

Officers consider that the impact on the special interest of the Shudehill Conservation Area as perceived in this view would be **minor adverse**.

**View 11 No impact site not visible from this viewpoint**

**View 12 No Impact site not visible from this viewpoint**



**View 13 Cathedral Approach Baseline**

**View 13 Cathedral Approach Proposed**

**Baseline** – The TVIA assesses this view illustrates a mixed townscape character facing north Manchester. It notes the dominance of the Cathedral with the Arndale and City towers in the background supported by the modern glazed Urbis and the Corn Exchange. The susceptibility to change is considered to be **medium** overall. The Heritage Assessment notes the slightly elevated location allows for panoramic views of the City Centre and the eclectic mix of buildings which make up its varied architectural character. The focus of the view is the Grade I listed Manchester Cathedral, which forms the key nodal point of the Cathedral Conservation Area. The ‘Glade of Light’, evident to the left of the cathedral and Urbis has a strong presence and is experienced alongside the Printworks. Chethams Library (Grade I) is discernible to the far left where it is experienced alongside the scale and prominence of the CIS tower and New Century Hall in the backdrop.

This location allows for expansive views of the Cathedral Conservation Area and partial views of the Shudehill Conservation Area and well represents the contrasting character between the two.

**Officers** note that the exceptional significance of the Grade I listed Cathedral, and the special interest of the Cathedral Conservation Area are well represented in this view, with a number of other historic and modern buildings complementing this important vista. The iconic form of Urbis and the glazed elevations of the Grade II listed CIS tower are an example.

**Townscape Impact** – The TVIA considers the effect to be **minor beneficial** as the proposal fits in well with the scale and heterogenous mix of the townscape rising as a background feature above Urbis.

**Officers** consider that the design of the south-west elevation of the 19-storey tower would be an intrusive addition to this highly sensitive and attractive vista, with an adverse impact on the city’s skyline. The proposal would not match the quality architectural interest of the historic and modern development that make an important positive contribution to this view – including the well-articulated and lightweight elevations of Urbis and the Grade II listed CIS Tower.

Officers consider that the impact of the development on this view would be **moderate adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment notes that the height and scale of the proposal will be somewhat readable from this elevated location. Whilst it would be visible, the extent of visual change will be minimal and not intrude on the ability to understand and appreciate the listed buildings, nor their prominence within their designated setting. The assessment considers the proposal to have a **negligible impact** in this view.

**Officers** consider that the proposal would be clearly perceptible emerging above the roofline of city centre buildings. It would have a negative impact on the Grade I listed Cathedral, the Grade II listed CIS Tower, the Cathedral Conservation Area and the Shudehill Conservation Area through the introduction of an visually prominent but poorly designed development. The elevation of the tower would not match the quality and design of these two landmark listed buildings, to the detriment of their experience in this view. Officers consider that the impact would be **minor adverse**.

### Views 14, 15 and 16 No Impact site not visible from these viewpoints



View 17 Exchange Square Baseline

View 17 Exchange Square Proposed

**Baseline** – The TVIA describes this view as being in close proximity to the Cathedral Conservation Area and influenced by a large number of historic buildings which are situated in close proximity including Manchester Cathedral. That historic context is balanced by an equal mass of modern development. The sensitivity to change is considered to be **medium**.

The Heritage Assessment states that the foreground is defined by an open public square, 'Exchange Square' with Selfridges glimpsed to the immediate right, and the Grade II listed Corn Exchange to the left. The Arndale Shopping Centre provides a central focus, with the Printworks screened by it to the far left. Beyond this, the considerable height and scale of MODA is visible, encroaching above the roofline of the Printworks.

**Officers** note that the view is dominated by the ornate frontage of the Grade II listed Former Corn Exchange. The Grade II listed CIS Tower reads as a singular key landmark in the distance. The scale, height, position and mass of the buildings around Exchange Square create a strong and cohesive urban edge to this important public space.

**Townscape Impact** – The TVIA judges the magnitude of effect to be **minor beneficial** as the proposal would fit in well with the scale and pattern of the surrounding townscape rising a short way above the Arndale and Printworks. It

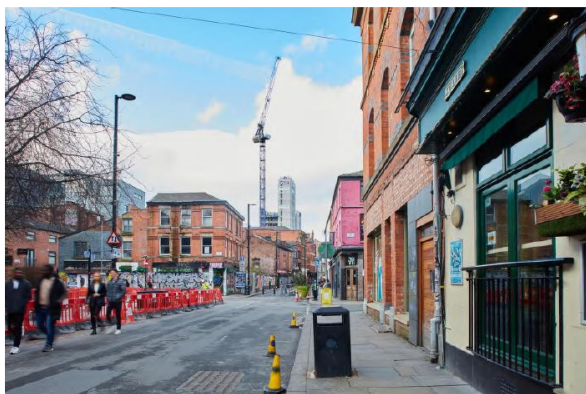


considers that the current character and mix of historic and modern buildings would **be maintained**.

**Officers** consider that the ‘crown’ of the tower that would be seen above the roofline of the urban edge of Exchange Square would, by virtue of its poor design quality and scale, detract from the existing composition and would not enhance the appearance of the city’s skyline. Officers consider that the visual and townscape impact would be **minor adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment notes that the taller aspect of the proposal will be visible in the far distance, just above the roofline of the Printworks and Arndale buildings, to the right of MODA. It would not impede on the ability to understand and appreciate the significance of the heritage assets to any appreciable degree. The impact of the proposals is considered to be **neutral**.

**Officers** believe that the appearance, scale and height of the proposal would detract from the Grade II listed Former Corn Exchange and the Grade II listed CIS tower and would not match or complement their architectural and aesthetic qualities. Officers consider that the impact of the development on these heritage assets as perceived in this view would be **minor adverse**.



View 18 Baseline Thomas Street



View 18 Proposed Thomas Street

**Baseline** – The TVIA assesses this view as characterised by a very tight urban grain with a small-scale townscape and a mix of retail and food and drink related uses. Most of the buildings are historic and the few larger modern taller buildings bring diversity to the skyline. Glassworks has a notable effect and adds to that diversity. The susceptibility to change of the townscape is **medium** given the ability of this view to accommodate change so long as the scale is not overwhelming.

The Heritage Assessment notes that this view is characterised by 18th and 19th century shops, public houses and former dwellings of a domestic height and scale. It considers red brick and blue engineering brick to be the predominant materials, with some sandstone on the more affluent townhouses to the north end of the street. It notes the Glassworks at Back Turner Street is visible in the distance. Designated heritage assets in the view include: 10-12 Thomas Street, 75-77 High Street and the Smithfield Conservation Area are identified in this view.

**Officers** consider that the frontages form a strong and cohesive edge to the street, dictating the sense of place and character of the area. This view forms a key

sequential point along an important pedestrian route through the core of the Northern Quarter and the Smithfield Conservation Area.

**Townscape Impact** – The TVIA assesses the proposal as being a reasonably prominent addition to the townscape but not one that would be overwhelming or out of scale with its surroundings particularly given the context of the Glassworks which rises up behind. The assessment considers that it would make a positive contribution to the view and the effect is **minor beneficial**.

**Officers** note that the proposal would add a new visual focus that would be uncharacteristic of the scale, mass and height of the buildings at the core of both the Smithfield Conservation Area and the Shudehill Conservation Area. Consequently, the proposal would detract from the area's distinctive character and cohesive streetscene, particularly the domestic scale frontages that line Thomas Street. The solid brick elevations of the tower would accentuate the visual impact of the proposal and it would appear as excessive and incongruous in its context, in contrast to the well-conceived and balanced brick frontages of the Northern Quarter. The brick tower would contrast with the considered definition, massing and lightweight appearance of the Glassworks, where the contrast in scale, mass and height with the historic environment of the Northern Quarter and Victoria was considered to be acceptable due to the perceived design excellence. Officers consider that the townscape and visual impact would be **moderate adverse**.

**Impacts on Heritage Assets** – The Heritage Assessment considers that the proposal will be visible, terminating long-distance views along Thomas Street. It notes that it will encroach above the established roofline of the Grade II listed buildings at 75-77 High Street and considers that it will enclose long-range views with a contemporary development of competitive mass and scale. Whilst considering that the Glassworks tower will screen it slightly, it will remain visible.

The impact of the proposal is focused on the listed buildings to the northern end of Thomas Street and whilst the proposal will become increasingly obscured from view travelling north along Thomas Street, it will be clear in select views, the impact would be **minor adverse**

**Officers** consider that the mass, scale and appearance of the proposal would be intrusive in its heritage context. It would introduce an unprecedented scale and height into the Shudehill Conservation Area, eroding the perceptual qualities that make it special in its wider urban context. The solid brick aesthetic would exacerbate the prominence of the development in this view. It would detract from the strong and cohesive urban edge of Thomas Street and have an adverse impact on this conservation area's setting. Its design an appearance would not respond to context or add positively to the streetscene and character of the two conservation areas. Officers consider that the impact of the proposal on the Shudehill Conservation Area and the Smithfield Conservation Area would be **moderate adverse**.

#### **Impacts on Shudehill Conservation Area and setting of Listed Buildings**

The proposal is partly justified on the basis that the site does not contribute positively to the character and appearance of the Shudehill Conservation Area. Elements of the site do have an adverse impact, largely as a result of past

demolitions, mid to late 20<sup>th</sup> century additions and the progressing deterioration of the designated and non-designated

Whilst the designated and non-designated heritage assets have been compromised through past alterations and demolitions, consideration needs to be given to whether additional change will further detract from, or can enhance, their significance in order to accord with NPPF policies.

There is scope for development at the site which could enhance the character and appearance of the area. Any scheme should give great weight to the conservation of the special interest of the Conservation Area, as derived from its historic environment, the Grade II listed building and the non-designated heritage asset at the application site.

Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, require that new development on site should preserve or enhance the special interest of the designated heritage assets, and take opportunities to enhance or better reveal their significance, and be sympathetic to the local character and history through a visually attractive and contextually appropriate new addition in the streetscene (paragraphs 130 and 206 of the NPPF).

The development options set out in the Design & Access Statement have not been exhaustive. Based on these options and the scale of the demolition proposed, it is not considered that the scheme presented to date offers the most appropriate response in terms of impacts on the existing buildings and the sites context.

The Rosenfield Buildings make an important and attractive contribution to the character, appearance and streetscene of the Shudehill Conservation Area, the setting of the Grade II listed Victoria Buildings and the Grade II listed 29 Shudehill, with an appreciable degree of group value, and is not limited to its north elevation.

The proposal would have a considerable adverse impact on the Shudehill Conservation Area, and the special interest of the Grade II listed 29 Shudehill and the Grade II listed Victoria Buildings, as derived from their immediate setting and group value.

### **Direct impact on Listed Building and Non-Designated Heritage Assets on the site (18-20 Dantzic Street)**

There is a need to evaluate the impact on the fabric, character and setting of the grade-II listed 29 Shudehill in the context of Section 66 of the 1990 Act That evaluation should be based on an understanding of the significance of heritage values and then assessing the impact of proposals significance. Any heritage harm, then this needs to be considered against the NPPF and the Act. A key test in the NPPF (para 200) is whether there is a clear and convincing justification for the harm.

The proposal retains the front wing of accommodation onto Shudehill and running along Thorniley Brow which is identified as being of high significance. It would be fully restored to preserve and safeguard the future longevity of this section of the building. The central section, from Thorniley Brow and parallel to Shudehill would be

part retained and part dismantled. The rear wing would be dismantled. The assessment of impact from the Heritage Assessment is summarised below:

29 Shudehill (Middle and Rear)-Partial demolition of middle range and rear range to allow for viable redevelopment of the site as a whole

The middle and rear ranges of the building were never intended to be visible and have been substantially altered and vary between levels of low-to-moderate significance. However, they do allow for the history and development of the building to be understood and appreciated as it developed over time. Mitigation for adverse impact gained through wider public benefits of the scheme and suggested building recording (Level 3). **Impact: minor adverse**

29 Shudehill (Front) -Retention and full restoration

All features will be repaired/ restored like-for-like. Including windows, brickwork, the roof, internal floorboards. Works will be undertaken following best Conservation principles. **Impact: minor beneficial**

18-20 Dantzig Street -Demolition and part retention of the façade

Is identified as a positive contributor to the character and appearance of the Shudehill Conservation Area due to the low architectural/ aesthetic value of its principal elevation to Dantzig Street. The building would not merit listing. Its interior has been substantially altered. It would not be viable to develop the site and retain the building. It recommends that a Building Recording (Level 2) be undertaken to record and advance understanding of it. Whilst the physical impact on the building as a whole will remain minor adverse, the retention of the façade will help preserve the special character and appearance of the Shudehill Conservation Area to a minor degree. Physical impact of the loss of the building: **Minor Adverse**

**Officers** do not agree with the assessment of significance of the Grade II listed asset, and believe that the contribution the original/historic fabric makes to the special interest of the asset is understated throughout the Heritage Assessment. This is evident in relation to the townscape context of the listed building. The contribution that the current setting makes to its special significance is not low.

The central and rear wings, proposed for demolition, are considered by Officers to be of high significance and their footprint, scale and mass make an important contribution to its appreciation and historic interest of the listed building. Officers do not agree that the cumulative harm caused by the demolition would be minor.

The demolition would considerably erode the buildings integrity and undermine its legibility, causing appreciable harm to its special architectural and historic interest. Although it would be less than substantial, it would be on the higher end of the spectrum. The demolition would erode the historic and architectural interest of the Shudehill Conservation Area through loss of elements that make a positive contribution to its special significance.

18-20 Dantzig Street is considered of architectural, evidential and historic interest,

with the external envelope, mass, form and layout being integral to its heritage significance. The fact that it is not listed, does not erode its considerable local heritage significance. It makes an important and attractive contribution to the character, appearance and streetscene of the Shudehill Conservation Area, the setting of the Grade II listed Victoria Buildings and the Grade II listed 29 Shudehill, with an appreciable degree of group value. This contribution is not limited to its north elevation.

The cumulative harm from the demolition and the façade retention would not mitigate or minimise the harm to this heritage asset to a sufficient degree to avoid a fundamental conflict between its conservation and the proposal. The façade retention would be an inappropriate approach as a treatment of an important 19<sup>th</sup> century non-designated industrial heritage asset, whose heritage significance depends on its completeness and integrity. The partial façade retention would not preserve the contribution the asset makes to the Shudehill Conservation Area and the setting of the Grade II listed buildings. As it only retains the façade, it allows little appreciation of the scale, depth and form of this building, and limits the evidential value it preserves. As such, the overall benefit of this element would be tangible, but minor.

The structural appraisal does not conclusively demonstrate that the existing buildings are unsuitable for conversion and reuse and as such it does not support the proposed level of demolition on the grounds of the buildings' structural condition alone. It does not discount the option of retaining 18-20 Dantzic Street should the required structural interventions and remodelling works be implemented. The internal and external works to the retained portion of the Grade II listed 29 Shudehill, would have a mixed impact on the designated asset.

Aspects of proposed works would have a positive impact on the asset and are supported in principle. This includes the retention of the original windows; the installation of new windows to the blocked ground floor openings; replacement of 20<sup>th</sup> century mock sash casements with timber framed sash windows; installation of new cast iron rainwater goods, replacing PVC and modern metal gutters and downpipes and, subject to agreement of the final detailing, the proposed new entrance to Shudehill which would only impact on non-original 20<sup>th</sup> century fabric.

However, other works would cause harm to the Grade II listed building, failing to preserve or enhance its special significance. The staircase is an important original/historic feature, with attractive period banister and railings and should be retained. The 19<sup>th</sup> century timber tongue and groove ceilings and timber floorboards also survive in-situ. The removal of the staircase and installation of a stair core in a different location would cause considerable harm to the listed building. The proposal would remove historic fabric and features of interest, would erode elements of the historic floorplan and create an unfortunate intersection between the new and the existing fabric, where the former would cut across the 19<sup>th</sup> century windows.

The removal of the hoist internal walls would harm the listed building by removing historic fabric and eroding its character and appreciation of it. The removal of the original/historic external east wall to create three new openings on the ground floor and first floor respectively, and the removal of the 19<sup>th</sup> century windows to the north

elevation to facilitate connection of the new built with the existing structure, would also cause material harm to the listed building.

As the impact of the individual internal and external works on the special architectural and historic interest of the retained portion of the Grade II 29 Shudehill has not been specifically addressed in the Heritage Statement, no justification has been provided for the works that would be harmful to the asset's special significance. In addition, there is no evidence that the current proposal would cause the minimal amount of harm to deliver the re-use of the Grade II building.

Despite the proposed improvements to the Grade II listed building, the development would not preserve or enhance the special significance of the retained portion of the listed asset. The cumulative level of harm does not demonstrate that great weight has been given to the preservation of this designated asset or that any conflict between the heritage asset's conservation and aspects of the proposal has been avoided or minimised through a conservation-led scheme.

### **Historic England's comments**

In the context of the above the following key conclusions from Historic England's comments are noted:

- The amount of demolition at 29 Shudehill, including areas of considerable significance, would be harmful to the listed building and conservation area.
- The demolition of the Rosenfield Building would remove unlisted historic buildings which contribute to the warehouse character of the conservation area and would harm the significance, character and appearance of the conservation area.
- The harmful impact of the loss of historic buildings would be compounded by the form, scale and design of the proposed new buildings on site. In a conservation area characterised by a fine, informal grain of 3-4 storeys in the south, to the larger (5-6 storey) and more formal architecture to the north, the 7, 8 & 19 storey proposal and heavy massing would not reflect the character and appearance of the conservation area.
- The insensitive relationship with 29 Shudehill, caused by the proposed height and mass, would cause harm.
- The building is of monolithic scale at odds with the grain of the area.
- The proposal would cause a high level of harm to the significance and character of the Shudehill conservation area, and a moderate to high level of harm to 29 Shudehill.

They note that this makes clear that any harm requires clear and convincing justification and would, at minimum, need to be demonstrably outweighed by public benefits if to be considered acceptable (NPPF 200 & 202). The close relationship between good design and the conservation of the historic environment is also clearly expressed in paragraphs 130, which stresses that planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development which fails to take the opportunities available to improve the character and quality of an area (NPPF 134).

They do not believe that it is evident that special regard, nor great weight, has been given to the conservation of the historic environment in line with paragraph 193 of the NPPF and Sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

They therefore remain unconvinced a case can be made demonstrating that such a high level of harm could be outweighed by public benefits (NPPF 196) nor that public benefits could not be achieved by a less intensive, more sensitive scheme.

They note that the applicant has sought to justify the scheme on the basis that it would cause less than substantial harm. However, they consider that, it is first necessary to demonstrate that “great weight” has been given to the conservation of the heritage asset (listed building, unlisted historic building and conservation area) (NPPF 199) and that there is clear and convincing justification for the harm that would be caused

Given the views of Officers as set out in the preceding sections there is a high level of alignment with the views set out above.

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

Section 16 (2) of Listed Building Act requires members “in considering whether to grant listed building consent for any works to a listed building, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect it.

Section 72 of the Act requires members to give special consideration and considerable weight to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it.

Due to the level of proposed demolition and the scale, massing and design of the proposal, which are not considered acceptable on heritage and urban design grounds, the proposal would neither preserve nor enhance the Shudehill Conservation Area, the Grade II listed 29 Shudehill or the setting of the Grade II listed Victoria Buildings. It would fail to preserve or enhance the local distinctiveness and inherent character of the Conservation Area. It is also considered that a clear and convincing justification for the level of harm as required by paragraph 200 of the NPPF has not been given.

Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner

appropriate to their significance. Of particular relevance to the consideration of this application are paragraphs 189, 194, 196, 197, 199, 200, 202, 204 and 206. The NPPF (paragraph 199) stresses that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly be justified.

**Officers** view is that that regeneration could be delivered through a scheme that gives greater weight to the rich architectural heritage and character of the Shudehill Conservation Area, including the special interest of the Grade II listed 29 Shudehill, the Grade II listed Victoria Buildings and the non-designated 18-20 Dantzic Street, and makes for a sympathetic new addition to the city's skyline and streetscene through a high-quality, well-considered and contextually appropriate new design.

The overall impact on the historic environment would be adverse, within the upper scale of the less than substantial harm. The development would considerably erode the special interest of the Shudehill Conservation Area, 29 Shudehill and 18-20 Dantzic Street, with an appreciable adverse impact on the special interest of the Grade II listed Victoria Buildings and the CIS Tower as derived from their setting. By virtue of the proposal's anticipated impact on the skyline and views, it would also have some adverse impact on the appreciation of the city's other historic landmarks, including the Grade I listed Cathedral Church of St Mary.

The impact of the proposal, including the physical impacts from the demolition of parts of 29 Shudehill and Rosenfield Buildings on the setting of the adjacent Listed Buildings and the character of the Shudehill Conservation Area and from the impact of the new build elements on the setting of adjacent listed buildings, the remaining on site structures and the Shudehill Conservation Area would be less than substantial but at the high end of the spectrum of harm. Paragraph 202 of the NPPF states that where a proposal would lead to less than substantial harm, it should be weighed against the public benefits including securing its optimum viable use. Paragraph 20 of the NPPF Planning Practice Guidance states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7). Public benefits may include heritage benefits.

The public benefits arising from the development, would include:-

- 198 FTE direct and indirect construction jobs, with a GVA associated with these jobs of £8.3m per annum;
- expenditure generated by 420 new residents is estimated to be £3.2m, this will support local businesses and create an estimated 23 local jobs. The GVA associated with jobs supported by expenditure is circa £789,000 per annum;
- an estimated £328,000 in Council Tax income for Manchester City Council per year;
- creation of high-quality commercial space, replacing poor-quality space. This will increase employment density, creating the potential for a further 22 net direct and indirect jobs, with a GVA of £767,000 per year
- Accommodating 420 additional residents, with 336 of working age;



- Promoting active travel, including walking and cycling. A cycle store (although not Residential Design Guidance compliant) would be located on the ground floor of the development to allow residents to securely store their bikes in a convenient location;
- Adding to the mix of uses in the area, contributing to its vibrancy;
- Refurbishing and repurposing 29 Shudehill to provide a new use;
- Being located in a highly sustainable location it would be well-connected by public transport to the wider urban area and includes no car parking spaces;

Elements of the development would have some positive impact on the local historic environment, including the introduction of a strong and continuous frontage and the regeneration of the retained portion of the site. However, the benefits would not outweigh the high level of harm to designated and non-designated heritage assets. These benefits could be delivered by alternative forms of development which would have less harm and no convincing case has been made.

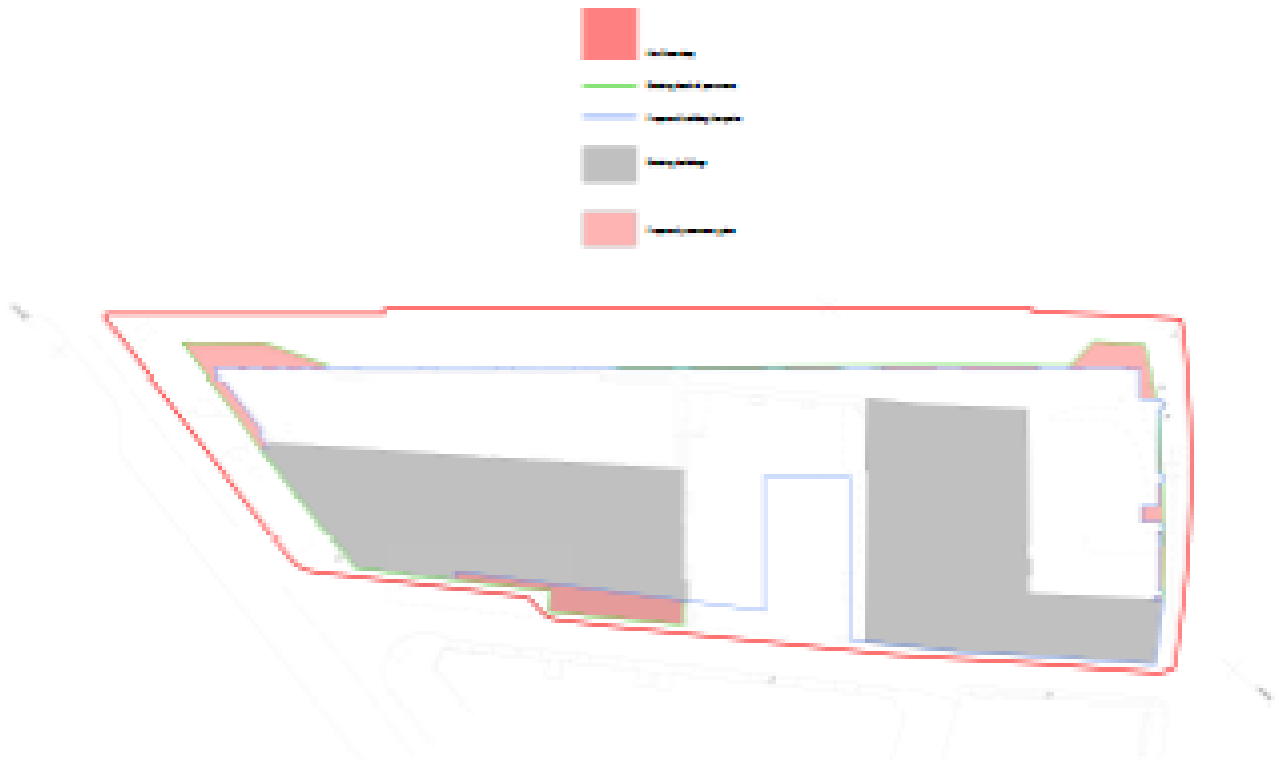
Notwithstanding the above, for reasons set out in this report it is not considered that the proposal would be consistent with sections 16, 66 and 72 of the Planning Act in relation to preservation and enhancement. Paragraph 206 of the NPPF states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. It states that proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. This is not the case for the proposal. Its overall scale and massing, colour, form and materials would not relate positively to existing high-quality buildings and complement their character. It would not enhance the sense of place and would not acknowledge the characteristics of massing, proportions, elevational subdivision of adjacent buildings.

Regeneration could be better delivered through a scheme that gives greater weight to the rich architectural heritage and character of the Shudehill Conservation Area, including the special interest of the Grade II listed 29 Shudehill, the Grade II listed Victoria Buildings and the non-designated 18-20 Dantzic Street, and makes for a sympathetic new addition to the city's skyline and streetscene through a high-quality, well-considered and contextually appropriate new design.

The scheme would fail to comply with Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 130, 134, 189, 195, 199, 200 and 202 of the NPPF and Policies CC9, EN2 and EN3 of Manchester City Core Strategy

### **Public Realm**

The Core Strategy requires tall buildings to create an attractive, pedestrian friendly environment. Public space should provide shared outdoor amenities for residents, in a high quality, safe and accessible environment. There would be a shared rooftop garden at 7<sup>th</sup> floor level and improvements to the pavements around the development including some localised increases in width. The proposal would create permeability between the site and the street and encourage pedestrian interaction to all four sides of the site.




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**Areas in red denote increases in existing pavement width**

The extent of the glazed elements to the buildings ground level interface have been reduced which has undermined to some degree improvement to the public realm that should be delivered to improve street level activity and passive surveillance. The overhang above 1<sup>st</sup> floor level facing the interchange has become overbearing and the interface with the Tramstop and Interchange would be oppressive and could be improved with a better design and also by a more generous public realm. This is compounded by the overbearing nature of the tower element.

The development would provide some improvements such a completing the pedestrian links around the Interchange and providing a positive use that benefits the surrounding area and would contribute to some degree to placemaking. This could be improved as set out above. The ground level activity and improved connectivity would better integrate the site into the urban grain. Enhanced legibility would create a more vibrant and safer pedestrian environment which would also improve the impression of the area for visitors.

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

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

There would be a reduction of 53 parking spaces. There are 16 car parks within a five-minute walk of the site open 24 hours a day, 7 days a week. There are 2 on-street disabled parking bays on High Street and 3 on Brick Street, approximately 2-minutes from the site. Manchester Arndale and Manchester Printworks have 63 and 40 disabled bays, respectively.

The nearest Car Club Bay is on High Street Tariff Street approximately 200m away. A Travel Plan would inform residents of sustainable options. A Transport Statement concludes that the overall impact on the transport network would be minimal.

The Site is close to Bee Network infrastructure and improvements are being made to the Shudehill junction with Nicholas Croft, there will be an upgrade to the signalised junction with new pedestrian crossings and cycle facilities. The zebra crossing on Withy Grove is being upgraded to a raised toucan crossing. The Bee Network upgrades will see the junction of Thorniley Brow (where the access to the cycle store would be located) with Shudehill closed to traffic, except for off peak loading.

The cycle spaces would be in a locked secure cycle store monitored by CCTV. Demand for spaces will be managed by the building management team. Only 90 on site spaces are proposed which is below the 1 per apartment advocated by the Manchester Residential Design Guidance. The applicants consider that this level of on-site cycle parking is appropriate given the walkable location, the close proximity of Shudehill Interchange (making public transport a viable alternative to cycling). There is existing on-street cycle parking available close by for visitors.

Drop off and servicing would take place on Thorniley Brow, which joins Shudehill. Servicing vehicles would also be able to make use a loading bay on Shudehill, about 25m away. The proposals reflect the existing servicing and refuse collection arrangements for the site.

### **Sustainability / Climate Change: Building Design and Performance**

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

An Environmental Standards Statement proposes enhanced building fabric based on values which are better than the minimum required for compliance with Building Regulations AD Part L 2013. Energy use would be minimised through good design in line with the Energy Hierarchy to improve the efficiency of the fabric. Other measures to enhance performance and reduce operational carbon would include: • High thermally insulated windows; • Optimised glazing solar energy transmittance; • Maximisation of daylight; • Reduced air permeability; • Waste heat recovery system in apartment blocks; • Thermostatically controlled and zoned heating systems; • Automatic presence detection included in appropriate areas of the scheme i.e. corridors; • Energy efficient lighting; and • Automatic lighting control system utilising daylight sensors and time clock control;

### **Operational Carbon**

The Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions. Part L has been superseded by Part L 2013 which has more

stringent energy requirements. The 15% requirements translate as a 9% improvement over Part L 2013.

The development would achieve compliance with the emission reduction targets stipulated by MCC's adopted planning policy, Building Regulation Part L (2013) and the proposal would exceed this target with an improvement of 9.12%. Roof mounted photovoltaic panels would provide onsite renewables. Heating would be based on an all electric system. The performance indicators will improve over time as the grid continues to decarbonise.

#### Embodied Carbon: Sustainable Construction Practices and Circular Economy

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

To reduce the Whole life Embodied emissions the amount of concrete has been reduced through the use of a skeletal frame with narrow columns and flat slabs. The reinforced concrete structure provides a flexible space with potential for future re-use extending the life cycle of the buildings core structure. For the structural frame, they are working with the supply chain to research opportunities for using recycled materials as replacement for ordinary Portland cement (OPC). They intend to investigate the potential for using industrial by-products like ground granulated blast slag (GGBS) or pulverised fly ash (PFA) for partial replacement within the cement. Other materials used during construction will be considered in terms of their CO<sub>2</sub> impact. For example, the timber required for concrete formwork and shuttering must be certified as being sustainably sourced in accordance with Defra's Central Point of Expertise (CPET) scheme. The final choice of the brick cladding would take due cognisance of factors that reduce impacts on climate change.

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

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

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

#### Effect on the Local Environment/ Amenity

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

reception.

Sunlight, daylight and overshadowing

### **Construction**

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

### **Operational Effects**

#### Daylight, Sunlight and Overshadowing

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

An assessment of daylight, sunlight and overshadowing has used specialist software to measure the amount of daylight and sunlight available to windows in neighbouring buildings. The assessment made reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011). This assessment is not mandatory but is generally accepted as industry standard and helps local planning authorities consider these impacts. The guidance does not have 'set' targets and is intended to be interpreted flexibly, acknowledging that locational circumstances need to be taken into account, such as a site being within a town or city centre where higher density development is expected and obstruction of light to buildings can be inevitable.

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

Properties at Victoria Building, Thorniley Brow (The James Aparthotel) (B1) are identified as being affected in terms of daylight and sunlight. Other homes have been scoped out due to their distance and orientation from the site. Plans of Victoria Buildings have been supplied by the property owner and form part of this assessment.

The application includes details of impacts on 25-27 Shudehill (B2) as this property has 2 expired planning consents for conversion to part residential on the upper floors: 045251/FO/CITY1/94 and 064661/FO/CITY1/02). However, as these consents have expired this analysis has not been considered in the assessment of the merits of this application.

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

#### Daylight Impacts

The BRE Guidelines provides methodologies for daylight assessment. The methodologies are progressive, and can comprise a series of 3 tests. The BRE

Guidance recommends that it is only necessary to progress to the next test, if the window/room does not pass the first test it was subjected to. The 3 tests applied are VSC (vertical sky component), NSL (no sky line) and ADF(average daylight factor).

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

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

The 3<sup>rd</sup> measure, Average Daylight Factor (ADF), assesses how much daylight comes into a room and its distribution within the room taking into account factors such as room size and layout and considerations include: The net glazed area of the window in question; The total area of the room surfaces (ceiling, walls, floor and windows); and The angle of visible sky reaching the window(s) in question

In addition, the ADF method makes allowance for the average reflectance of the internal surfaces of the room. The criteria for ADF is taken from the British Standard 8206 part II which gives the following targets based on the room use:

Bedroom – 1% ADF; Living room – 1.5% ADF; Kitchen – 2% ADF. Where a room has multiple uses such as a living kitchen diner (LKD) or a studio apartment, the highest value is taken so in these cases the required ADF is 2%.

A key factor to be considered in relation to the 2<sup>nd</sup> and 3<sup>rd</sup> tests is that these assess daylight levels within a whole room rather than just that reaching an individual window and are therefore a more accurate reflection of any overall daylight loss. The assessment as considered all 3 of the progressive tests for daylight assessment.

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

Parts of the site have been cleared and prior to that was occupied by relatively low buildings. Buildings that overlook the site have benefitted from conditions that are relatively unusual in the City Centre. Therefore, the baseline situation against which the sunlight, daylight and overshadowing impacts, ie a partially cleared site, would not be representative of a typical baseline situation within a densely developed urban environment. The Guidance acknowledges that in a City Centre, or an area with

modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

The BRE Guide recognises that in such circumstances, 'alternative' target values would be needed. The methodology for setting new targets is set out in Appendix F of the Guide and suggests *alternative VSC targets*. The application site benefits from a previous planning permission (granted in 2002) for a residential led development varying in height between 3 and 7 storeys and this has been used as an alternative benchmark of daylight to more accurately reflect site characteristics and location against which the impact of the current scheme has been measured against this. This is considered to be consistent with BRE guidance in terms of establishing an alternative daylight target. The impact of the previously approved scheme on daylight and sunlight has been calculated and a comparison has been made with the impact of the current proposal. In line with the advice in Appendix F2 the 0.8 reduction for the alternative target has not been used in respect of the permitted scheme.

### Sunlight Impacts

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

A scheme would be considered to comply with the advice if the base line values and those proposed are within 0.8 times of each other as an occupier would not be able to notice a reduction of this magnitude. The requirements for minimum levels of sunlight are only applicable to living areas.

### BRE Targets

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

### Baseline

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

(cumulative impacts). As detailed above a measure of the impact against an alternative baseline of a previously consented scheme has also been included in the submission.

### Sensitivity of receptors

The James aparthotel overlooks the site and the BRE Guidance (section 2.2) states that the guidelines 'may' be applied in relation to hotels where occupants have a reasonable expectation of daylight. It is considered that within a city centre hotel, patrons will not typically be occupying the room during the day, rather attending business functions or sight-seeing / shopping depending on the reason for their stay. It is considered therefore that it is not strictly necessary to consider impacts on the transient / occasional occupants of a hotel room, however as this data is available it is included for information.

### Daylight Impacts

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

Victoria Buildings - When measured against the current cleared site condition 29/97 (30%) of windows would be compliant for VSC daylight and 11/39 (28%) of rooms would be compliant for NSL. When measured against the previously approved scheme, 73/97(75%) of windows would be compliant for VSC daylight and (34/39 (87%) rooms would be compliant for NSL.

An ADF analysis has been run for the alternative baseline which shows that 31/39 (87%) rooms would be compliant for ADF. 31/39 rooms assessed (79%) are equal or greater than the ADF levels for the consented scheme. Of those 31 rooms, 27 (69% of total) experience improvements in ADF over the previously consented scheme due to the design changes.

### Sunlight Impacts

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

#### Victoria Buildings

The windows in the main elevation facing the development do not fall within 90 degrees of due south and have therefore not been assessed.

It is acknowledged that some serviced apartment guests would experience adverse impacts however, due to the nature of the use the occupants are less likely to be in residence during the day and these impacts need to be considered in the context of the fact that Victoria Buildings has benefitted from conditions that are relatively unusual in a City Centre context. It is considered that the above impacts are acceptable in a City Centre context.

### Overshadowing and Privacy



An overshadowing study has been prepared in-line with BRE Guidance. The BRE guide addresses overshadowing to gardens and open spaces only. In terms of overshadowing, the only open space is the bus station and Shudehill tram stop to the east. Analysis of overshadowing in these amenity areas show nearly 100% compliance with BRE criteria.

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

### Solar Glare

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

### Wind

Changes to wind can impact on how comfortable and safe the public realm is. Changes that cannot be designed out should be minimised by mitigation. A Wind Microclimate report focused on the impact on people using the site and surrounding area. This has been modelled using high resolution Computational Fluid Dynamics within the ES Addendum (this updates the wind tunnel tests in the original ES and the CFD results have been interrogated for consistency with the wind tunnel data.) which simulates the effect of wind and is an acceptable industry standard alternative to wind tunnel testing. This was combined with adjusted meteorological data from Manchester Airport to obtain annual and seasonal frequency and magnitude of wind speeds across the model. The potential impacts were modelled within a 450m radius of the site which is in line with the UK industry standard. All of the scenarios reported in the ES chapter were modelled on mean and gust equivalent mean wind speeds. In doing so 16 wind directions were assessed in 22.5° increments.

The assessment used the Lawson Comfort Criteria, which seek to define the reaction of an average pedestrian to wind. The wind microclimate has been assessed for the proposal in the absence of the current soft landscaping proposal. A number of cumulative schemes have been included within the study. Consents within 450m radius of the site were included in the study.

Potential impacts have been considered on: adjacent throughfares, waiting areas at Shudehill Metrolink tram stop and Shudehill Transport Interchange and amenity areas within the development and areas immediately outside any building entrances have been assessed. All are considered to be highly sensitive to strong winds, which can pose a risk to safety.

Construction phase impacts would be negligible.

Embedded mitigation has been included in the development comprising the following:

- Balconies or terraces in a walled enclosure to apartments at first floor level (D.01.05 / M01.06 / M.01.05, the apartment facing Shudehill at second floor level (S.02.04) which utilises the roof of the new infill building; and on the Dantzig building to each corner apartment on levels 8 to 18;
- Elevated terrace the parapet height would be 1.8m on the eastern and western facades at elevated terrace level and there would be a 1.8m 50% porous screen; and
- External landscaping to the roof garden at level 7 including 3m-tall trees.

With the embedded mitigation following completion of the development, conditions would be suitable for their intended use.

### Cumulative Effects

The wind conditions have been assessed with the introduction of the future approved proposals in the surrounding area. The impact with the mitigation in place would be moderate beneficial due to additional sheltering from the scheme at 22-36 High Street (121375/FO/2018) or negligible. No significant additional construction effects over and above those for the completed development are expected.

### Air quality

An air quality assessment (AQA) has considered whether the proposal would change air quality during the construction and operational phases. The site is in an Air Quality Management Area (AQMA) where air quality is known to be poor as a result of surrounding roads. Roads which may be used for construction traffic and post development are in the AQMA. Residents could experience poor air quality and vehicles travelling to and from the site could increase pollution in this sensitive area.

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

The potential effects during construction of dust and particulate emissions from site activities and materials movement have been assessed based on a qualitative risk assessment method based on the Institute of Air Quality Management's (IAQM) 'Guidance 2014. The assessment of the potential air quality impacts from the completed scheme has focused on the predicted impact of changes in ambient nitrogen dioxide (NO<sub>2</sub>) and particulate matter with an aerodynamic diameter of less than 10 µm (PM<sub>10</sub>) and less than 2.5 µm (PM<sub>2.5</sub>). Various scenarios were tested to assess both the construction and operational impacts on air quality.

The main contributors to air quality would be from construction from dust, particulate matter and pollution concentrations generated on site, particularly from exhaust emissions from traffic, plant and earthworks. Nearby homes are likely to experience

impacts from dust from construction. There would be emissions from construction traffic which would enter the site from Dantzic Street and Shudehill. There are also likely to be cumulative impacts from other nearby developments which may also be under construction.

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

Good on site practices would ensure dust and air quality impacts are not significant and should remain in place during the construction period and should be a condition. Arrivals at and departures in operation may alter the use of the local road network.

The energy strategy would be all electric. 90 cycle spaces are proposed. A travel plan would aim to reduce vehicle trips, traffic congestion, noise and air pollution, and greenhouse gas emissions.

Apartment ventilation would be provided via high efficiency Mechanical Ventilation Heat Recovery (MVHR) systems. Fresh air inlet and exhaust would be routed from the external façade via grilles / louvres and incorporated into the window / cladding system. The ventilation would utilise grilles located in the soffit of the window reveal. Proprietary NOx / Carbon filtration units would be provided in the fresh air inlet ductwork to absorb particulates and minimise the effects of pollution on the internal environment. Exceedances of the target levels are predicted at 1<sup>st</sup> floor level where further mitigation would be required. The air inlet of this system would need to be located at the highest feasible point and preferably set back from the Shudehill façade.

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

**Noise and Vibration** - A report concludes that internal noise levels would be acceptable subject to appropriate acoustic design and mitigation (this is detailed in the diagram below). The building would have openable windows on the elevations where acoustic insulation requirements are lower. The mitigation measures required for any externally mounted plant and ventilation should be a condition of any consent granted.

The Head of Environmental Health has requested an updated acoustic assessment based on more representative up to date background noise measurements and climate and to address new requirements for an overheating assessment. The addition of an overheating assessment and recommendations following this is likely to change the glazing and ventilation requirements / recommendations.

Any agreed acoustic insulation and acoustic ventilation scheme to deal with overheating would need to integrate effectively with existing adjacent businesses such as the Printworks in accordance with the 'agent of change' principle set out in paragraph 187 of the NPPF. The ES concludes that there could be some minor adverse impacts on new residents from noise from adjacent noise sources which it

considerations can be mitigated through good acoustic design. There is currently inadequate information to demonstrate that there would not be a conflict, but this could be dealt with through pre-commencement conditions.

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

Disruption could arise during construction and guests at City Suites are susceptible to moderate adverse impacts. The applicant and their contractors would work and engage with the local authority and local communities to seek to mitigate these impacts and minimise disruption. A Construction Management Plan should be a condition and provide details of mitigation methods. Construction noise levels have been estimated based on worst case assumptions to be of moderate temporary adverse effect.

A potential Moderate Adverse impact is identified in relation to the vibration effect on the cinema on Dantzic Street. However, this impact would be for a very limited short duration while piling is undertaken, which would be irregular over a period of weeks. The contractor would implement best practice measures through a NMP and CEMP. Following mitigation construction noise and vibration is unlikely to be significant.

The potential noise impact within the external areas would be negligible with noise management mitigation which would be controlled via a condition.

A condition could control access to the communal terrace at night.

Telecommunications (TV and Radio reception and Broadband provision) – A Baseline TV and Radio Impact Assessment has been prepared based on technical modelling in accordance with published guidance to determine the potential effects on television and radio broadcast services.

Widespread interference to digital terrestrial television (DTT- Freeview) service reception is not expected, the proposal and tower cranes may cause interference to reception for existing developments on the corner of Shudehill, Thomas Street and Back Turner Street.

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

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

### **Conclusion on Tall Buildings Guidance**

On balance, it is considered that the applicant has not demonstrated that the proposal would meet the requirements of the Historic England Tall Buildings Guidance (2022), it would conflict with key aspects of the Core Strategy policy on Tall

Buildings and Design and Heritage, City Council Design Guidance as detailed above the Manchester Residential Design Guide, the NPPF and the National Design Guide.

**Archaeological issues** - GMAAS believe that there could be below ground remains relating to a dissenting chapel and graveyard established in 1740 and 18th century workers' housing. The proposal will have a major impact on buried archaeology, which might include human remains. If burials are found a Ministry of Justice licence will be required and a detailed archaeological investigation will be needed.

They recommend targeted archaeological excavation, followed if appropriate by more detailed and open area excavation, to inform the understanding of the potential and significance. The investigations could be secured through a condition.

There is also archaeological interest in the historic fabric of the 19th century buildings on site and it is recommended that a historic building survey make a record of these for archive and research purposes before conversion and demolition. This could be secured through a condition.

**Crime and Disorder** -The increased footfall, from residents and commercial space users and the improvements to lighting would improve security and surveillance although this could be enhanced further through better design. Greater Manchester Police have provided a crime impact assessment and the scheme should achieve Secured by Design accreditation. A condition is recommended for any approval.

**Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS) / Climate change adaptation and mitigation from Green Infrastructure**

The buildings to be demolished have been confirmed as having low potential to support bats and negligible potential to support an important bat roost (e.g. a maternity roost). A bat survey found no signs of bats, although not all parts of the buildings could be accessed. It is noted that GMEU holds no records of bats from the site and notes that there is very little good bat feeding habitat close to the buildings. GMEU consider that mitigation for bats, if they were to be found, would be straightforward and that the probability of the demolition of the building harming the conservation status of bats is very low. As such GMEU do not consider that there is a need for pre-demolition surveys need to be carried out before a planning application is decided. However, as the presence of bats has not been entirely ruled out and bats are highly protected they have recommended that a precautionary pre-demolition bat emergence surveys should be made a Condition of any permission which is granted to the scheme.

The submitted Ecology Survey states that the development would have no detrimental impact on any statutory or non-statutory protected sites, given their distances and barrier habitats between the site and the protected sites. It notes that both buildings on site offer potential habitat for nesting birds and evidence of nesting birds was found within Building 1. All bird species are protected whilst at the nest under The Wildlife & Countryside Act 1981 (as amended), therefore, it is recommended that any work to the upper floors buildings takes place outside of the bird nesting season (the nesting season is generally March to August), or a bird nest

check be undertaken prior to work commencing this could be secured through a pre-commencement condition attached to any consent granted.

There are opportunities to enhance the biodiversity on the site and improve connectivity to adjacent habitats by providing 'ecological stepping stones' to link to green/blue infrastructure. Features for bats and birds into the new build and soft landscaping to the communal roof garden is designed, to includes a variety of flowering species are recommended by the submitted Ecology Survey and could be a condition of any consent granted.

Waste and Recycling – The proposed development will include the following recycling and waste facilities: • One Core Room on each residential floor; • One General Residential Waste Stores on the ground floor.

Residents will be asked to segregate recycling and general waste in dedicated core rooms on each floor. The main core room would be located near the lift and stair core in the Dantzig Building. A second core room would be located near the stair and lift core in the Shudehill Building. In both core rooms, residents will be able to deposit all waste and recyclables according to the MCC collection scheme. Within the core rooms, recyclables will be segregated into separate bins, with one for general waste, one for mixed recycling, and one for organic wastes. The main core room will also provide access to a tri-separator waste chute to allow residents to segregate waste into general waste, mixed recyclable waste, and organic waste.

For the secondary core room all waste, once deposited by residents, will be transferred by the facilities management (FM) team to the general waste storage facility on the ground floor of the development. The FM team will transfer all waste from the core room in the Shudehill Building to the main core room in the Dantzig Building and use the tri-separator waste chute to send this through to the ground floor. There would be a dedicated commercial waste storage area located at ground floor.

The refuse store has been sized in line with 'GD 04 Waste Storage and Collection Guidance for New Developments based a twice weekly collection.

The bins would be taken out to the collection area on Thornily Brow by building management on collections day and collected by the City Council's waste contractor

Flood Risk and Sustainable Urban Drainage Strategy (Suds) - The site is in Flood zone 1 and is low risk site for flooding. It is in the Core Critical Drainage Area in the Council Strategic Flood Risk Assessment and requires a 50% reduction in surface water run-off as part of brownfield development.

The use is appropriate, and conditions should require the implementation and maintenance of a sustainable drainage system. SUDS would be managed through attenuation storage in ground tanks with a flow control device. Flow rates would be aligned with the betterment requirements for the SRFA.

A drainage statement has been considered by the City Council's flood risk

management team. The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with policy principles. Further details are required to complete the drainage strategy which should form part of the conditions of any planning approval.

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

Disabled access – Access from both entrances would be level and lifts would provide full access to all floors. No on site disabled parking is proposed. There are 2 on-street disabled parking bays on High Street and 3 on Brick Street, both of which are approximately 2-minutes from the site. The Manchester Arndale and Manchester Printworks have 63 and 40 disabled bays respectively.

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

Airport Safeguarding - Aerodrome safeguarding who have found no conflict with any safeguarding criteria.

Construction Management – Measures would be put in place to minimise the impact on local residents such as dust suppression, minimising piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site. Provided appropriate management measures are put in place the impacts of construction management on surrounding residents and the highway network can be mitigated to be minimal.

Socio- Economic Impacts / Human Health The proposal would support 198 FTE direct and indirect construction jobs, with a GVA associated with these jobs of £8.3m per annum.

The development would create commercial space increasing the overall employment density of the Site. The site supports 11.4 direct and indirect jobs with an estimated GVA of £390,000 per year. 17 vacant poor-quality units could be refurbished to support an additional 43 net direct and indirect jobs (taking into account the existing jobs supported on site) with a GVA of £1.1m per year.

175 new homes would accommodate approximately 420 residents the expenditure generated by these new residents is estimated to be £3.2m, this would support local businesses and create an estimated 23 local jobs. The GVA associated with jobs supported by expenditure is circa £789,000 per annum. The proposal would generate an estimated £328,000 in Council Tax income.

The new households would generate a spend of £5.3m per year. Assuming 60% of their household spend is in Manchester, this will bring an additional £3.21m of expenditure to the local economy supporting 23 full time equivalent jobs in Manchester. The GVA associated with these jobs will be £789,023 per year.

The City Council would receive a total of £1.3m over 4 years from the New Homes Bonus associated with this development.

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

Cumulative Impacts would be significant beneficial once all developments considered in the cumulative assessment are built out and fully operational

Fire safety - It is now a mandatory planning requirement to consider fire safety for high rise buildings in relation to land use planning issues. A fire statement has been submitted with the revised proposals and the Health and Safety Executive (HSE) were consulted. However, given the date of the original submission they have as detailed above not commented on the proposals.

Notwithstanding this government advice is very clear that the review of fire safety at gateway one through the planning process should not duplicate matters that should be considered through building control. Fire Safety measures in relation to site layout, water supplies for firefighting and access of fire appliances are addressed in the Fire Safety Report.

An informative attached to any planning approval could highlight the need for further dialogue with relevant experts as part of the approval of Building Regulations in order to ensure that all matters relating to fire safety meet the relevant Regulations.

Permitted Development -The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable. It is recommended that the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) be restricted and that a condition be attached to this effect. This is important given the emphasis and need for family housing in the city. There should also be restrictions to prevent paid accommodation such as serviced apartments for the same reason. It is also considered appropriate to remove the right to extend the apartment building upwards and remove boundary treatments without express planning permission as these would, it is envisaged, could undermine the design quality of the scheme and in respect of boundary treatment, remove important and high quality features from the street scene.

**Victorian Society comments-** The assessment of the impact of the demolition of 18 – 20 Dantzig Street considers both the loss of building fabric and the impact on the conservation area.

## **Conclusion**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations dictate otherwise. The proposals have been considered in



detail against the policies of the current Development Plan and taken overall is considered not to be in compliance with it.

There is an acknowledged need for high quality residential accommodation in the city centre to support and sustain regional growth. The economic, social and environmental benefits of the proposal would not on balance outweigh the adverse physical and visual impacts of the development and the harm to heritage assets.

An acceptable proposal could support the ongoing regeneration of the area. However, due to the impact on heritage assets, its location in a conservation area, within the setting of listed buildings and on a main route, the proposal would not positively contribute to the high-quality regeneration of the area. This is principally as a result of its inappropriate scale and massing, its proportions and the quality of the architectural detailing. It would not add the overall quality of the area or have a visually attractive architectural form, which responds to local character and would undermine the ongoing regeneration of the City Centre. It would therefore be contrary to policies SP1, EN1, EN2 and DM1 of the Manchester Core Strategy (2012).

The result will be overly large and overbearing and would not meet required design standards for tall buildings in Manchester. It would not relate positively to the character of the area, streetscene and Manchester skyline resulting in an unduly harmful impact on visual amenity SP1, CC9, EN1, EN2 and DM1 of the Manchester Core Strategy (2012) and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

The siting, scale, massing, design and architectural detailing of the proposal and its adverse impact on designated and non-designated heritage assets, would cause harm and would fail to preserve or enhance the character of the Shudehill Conservation Area and the setting of nearby listed buildings. It would not preserve the listed building and the features of special architectural or historic interest which it possesses. The proposal would not successfully integrate into the local area due to its scale, massing and appearance resulting in an unduly harmful impact on the visual amenity and the character of the local area. The proposal is therefore contrary to policies SP1, CC9, EN3 of the Manchester Core Strategy (2012) and saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995).

The design would not reflect the City Councils regeneration aspirations in terms of quality and would not be sensitive to local character. It would not reflect government guidance on design. On this basis it would be contrary to paragraphs 124, 130 and 134 within the NPPF.

As set out in the NPPF all grades of harm may be justified on the grounds of public benefits that outweigh that harm taking account of the 'great weight' to be given to conservation and provided the justification is clear and convincing (paragraphs 195, 199, 200 and 202).

Considerable weight has been given to preserving 29 Shudehill, the setting of the adjacent listed buildings and preserving or enhancing the character of the Shudehill

Conservation Area as required by virtue of the Listed Buildings Act and the overall impact of the proposal including the impact on heritage assets would not meet the tests set out in paragraphs 189, 197, 199, 200 and 202 of the NPPF. It has not been demonstrated that such a high level of harm is outweighed by public benefits (NPPF 202) nor that public benefits could not be achieved by a less intensive, more sensitive scheme.

The scheme would not comply with Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 124, 130, 134, 189, 195, 199, 200 and 202 of the NPPF and Policies SP1, CC9, EN1, EN2, EN3, DM1 of Manchester City Core Strategy and saved policies DC18, DC19 and E3.3 of the Unitary Development Plan for the City of Manchester (1995). Given the above, it is considered that the proposal would be inconsistent with national and local planning policy and should be refused for the reasons set out below.

### **Other Legislative Requirements**

**Equality Act 2010** - Section 149 (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.

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

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

### **Recommendations**

121195/FO/2018 - **Refuse** and  
121196/LO/2018 - **Refuse**

## Article 35 Declaration

Officers work with applicants in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications. A series of pre-application and post submission meetings have taken place with officers to seek to resolve Officers concerns about design and impact on heritage assets. Whilst the applicants have made some amendments to the originally submitted scheme these have not been sufficient to resolve the fundamental concerns in relation to design and impact on heritage assets and the consequential impacts on regeneration that the proposed scheme would have.

## Reasons for Refusal

### 121195/FO/2018

1.The proposed development due to its siting, scale, massing and appearance would result in a poor quality design. Its architectural detailing and the street level interface would fail to meet the quality that such a prominent building should achieve. It would not add the overall quality of the area or have a visually attractive architectural form, which is sympathetic to local character and as a result would undermine the ongoing regeneration of the City Centre. The proposals would therefore be contrary to policies CC7, CC8, SP1, EN1, EN2 and DM1 of the Manchester Core Strategy (2012), Manchester Residential Quality Guidance (July 2016), Guide to Development in Manchester SPD (2007), and the relevant sections of the National Planning Policy Framework (NPPF) (2021) in particular Section 12 (Achieving well designed places) and the National Design Guide (2021).

2.The proposed development, by virtue of the siting, scale, massing, appearance and architectural detailing, would result in an overly large and overbearing development and would not meet required design standards for tall buildings in the city centre of Manchester. The proposal would therefore fail to respond positively to the character of the area, streetscene and Manchester skyline resulting in an unduly harmful impact on visual amenity. The proposals would therefore be contrary to policies SP1, CC7,CC8, CC9, EN1, EN2 and DM1 of the Manchester Core Strategy (2012), saved policy E3.3 of the Unitary Development Plan for the City of Manchester (1995), The Guide to Development in Manchester SPD (2007), Manchester Residential Quality Guidance (July 2016), the relevant sections of the National Planning Policy Framework (NPPF) (2021) in particular Section 12 (Achieving well designed places) and the National Design Guide (2021).

3.The proposed development, by virtue of the siting, scale, massing, design and architectural detailing, together with the loss of parts of the designated and non-designated heritage assets, would cause harm to these heritage assets and fail to preserve or enhance the character of the Shudehill conservation area and the setting of nearby listed buildings. The proposed development would not successfully integrate into the local area due to its scale, massing and appearance resulting in an unduly harmful impact on the visual amenity and the character of the local area. This would result in a high level of less than substantial harm to the historic environment which is not outweighed by the public benefits of the proposal. The proposal is therefore contrary to policies SP1, CC9, EN1,EN3 of the Manchester Core Strategy

(2012), saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995) and the relevant sections of the National Planning Policy Framework NPPF in particular, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the historic environment) sections 66 and 72 of the Planning and Listed Buildings Act 1990.

4 The proposed development, would result in the loss of parts of 29 Shudehill, a grade 2 listed building, which would cause harm to and fail to preserve the building and the features of special architectural or historic interest which it possesses. This would result in less than substantial harm to the building which would not be outweighed by the public benefits of the proposal. The proposal is therefore contrary to policies CC9 and EN3 of the Manchester Core Strategy (2012), saved policy DC19 of the Unitary Development Plan for the City of Manchester (1995) ) and the relevant sections of the National Planning Policy Framework NPPF in particular, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the historic environment) and sections 16 and 66 of the Planning and Listed Buildings Act 1990

121196/LO/2018

1.The proposed development, would result in loss of internal and external parts 29 Shudehill, a grade 2 listed building, would cause harm and fail to preserve of the building and the features of special architectural or historic interest which it possesses. This would cumulatively result in a high level of less than substantial harm to the building which would not be outweighed by the public benefits of the proposal. The proposal is therefore contrary to policies CC9 and EN3 of the Manchester Core Strategy (2012), saved policy DC19 of the Unitary Development Plan for the City of Manchester (1995) ) and the relevant sections of the National Planning Policy Framework NPPF in particular, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the historic environment) and sections 16 and 66 of the Planning and Listed Buildings Act 1990.

### **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: 121195/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services  
Environmental Health  
MCC Flood Risk Management  
Oliver West (Sustainable Travel)  
Strategic Development Team  
City Centre Renegeration  
United Utilities Water PLC**

**Historic England (North West)**  
**Environment Agency**  
**Transport For Greater Manchester**  
**Greater Manchester Archaeological Advisory Service**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Planning Casework Unit**  
**Manchester Airport Safeguarding Officer**  
**National Air Traffic Safety (NATS)**  
**Civil Aviation Authority**  
**MCC Flood Risk Management**  
**Work & Skills Team**  
**Planning Casework Unit**  
**City Centre Regeneration**  
**Environmental Health**  
**Highway Services**  
**Strategic Development Team**  
**Oliver West (Sustainable Travel)**  
**Work & Skills Team**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Civil Aviation Authority**  
**Environment Agency**  
**Greater Manchester Archaeological Advisory Service**  
**Historic England (North West)**  
**Manchester Airport Safeguarding Officer**  
**National Air Traffic Safety (NATS)**  
**Transport For Greater Manchester**  
**United Utilities Water PLC**  
**Health & Safety Executive (Fire Safety)**

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

Representations were received from the following third parties:

**Relevant Contact Officer :** Angela Leckie  
**Telephone number :** 0161 234 4651  
**Email :** angela.leckie@manchester.gov.uk





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| <b>Application Number</b> | <b>Date of Appln</b> | <b>Committee Date</b>       | <b>Ward</b>        |
|---------------------------|----------------------|-----------------------------|--------------------|
| 135733/FO/2022            | 13th Dec 2022        | 16 <sup>th</sup> April 2023 | Chorlton Park Ward |

**Proposal** Installation of a replacement kiosk required to house a new gas governor following demolition of existing including installation of replacement weldmesh palisade fencing

**Location** Barlowmoor Glen Gas Governor, Barlow Moor Road, Manchester, M21 7GZ

**Applicant** Cadent Gas Limited

**Agent** EP Team, Dalcour Maclaren

### **Executive Summary**

The application proposals relate to the upgrading of existing gas infrastructure and associated structures which are current identified as outdated and cannot support current or anticipated future gas demands. The site is of an irregular size located to the rear of residential properties on Barlow Moor Road and Houghend Avenue and to the west is the Manchester Crematorium with the wider Southern Cemetery beyond, an Electricity substation is located adjacent and to the south of the site. The site is not publicly accessible, with the alleyway that serves it having been subject to a City Council alleygating scheme approved in 2008. The wider area to the south, west and north is predominantly residential in nature whilst to the east is the western boundary of the Manchester Crematorium with the Grade II registered Southern Cemetery beyond. The site is located within the Chorlton Park ward of the city.

In order for the replacement infrastructure to be compliant with current technical industry standards and guidance the new infrastructure requires larger clearance areas (3m minimum) around them. As such, the associated housing structure known as a kiosk is required to be larger than those that currently exist on site. The applicant has confirmed that the replacement infrastructure (gas governor) is to be installed under the applicants permitted development rights and it is the Kiosk and associated 2.4m perimeter weld mesh fencing that requires planning permission.

The application was subject of notification of nearby residents with 54 addresses being sent letters, in response 4 comments were received objecting to the proposals. The reasons for concern raised related to ecological matters and that there are protected species on the site, loss of trees, drainage impacts and the potential noise that would be generated by the proposals. Cllr Mandie Shilton-Godwin has also raised concerns with the tree and biodiversity loss on the site and potential water run off as a result of the loss of the trees.

Amongst other matters that are set out within the main body of the report it is considered that the principle of the upgrade of existing energy infrastructure with suitable mitigation around tree loss is acceptable in this instance.

Other matters raised by objectors are also fully addressed.

### Description of the site

The application site is an irregular shaped site that currently contains gas infrastructure and housing structure located towards the eastern edge. The remainder of the site containing trees of varying species, and size. Existing two storey residential properties are located to the south and west of the application site along Barlow Moor Road and Houghend Avenue with their rear garden boundaries bounding the site. A gated alleyway serves the application site and to the east beyond a boundary wall is the Manchester Crematorium and Grade II registered Park and Garden associated with the Southern Cemetery.

The site currently comprises an enclosed compound demarcated by palisade fencing within which the applicant have an existing gas governor housed within a Glass Reinforced Plastic (GRP) Kiosk.



**Approximate extent of application site is edged red**

### Description of the proposals

The applicant seeks permission for the installation of upgraded gas infrastructure and associated structures following the removal of existing equipment and structures on the site.

The applicant sets out within their supporting statement that the proposed upgraded kiosk and fencing are required to protect the replacement gas governor and allow the applicant to continue to provide a safe and secure supply of gas to their customers. They state that the proposed development is therefore, considered necessary under Section 9 of the Gas Act 1986, as well as The Pipeline Safety Regulations 1996.

The application proposals relate to the installation of the replacement Kiosk and installation of 2.4m high weldmesh fencing around the perimeter of the site. The installation of the replacement 'gas governor' to be housed within the Kiosk falls within the applicants permitted development rights and does not in itself require

planning permission. The replacement Kiosk has a volume of 226.8m<sup>3</sup> with a length of 11.8m, width of 6.2m and height of 3.28m and as a result of its size falls outside of the thresholds of the applicant's permitted development of 29m<sup>3</sup>. The Kiosk would be constructed of a Glass Reinforced Plastic with a green finish and the surrounding weld mesh 2.4m high fencing would also have a green finish.

In order to install the upgraded equipment and associated Kiosk together with the maintenance of a minimum 3m clearance area around the gas governor the applicant has confirmed that the site needs to be cleared of the existing trees located within it.

## Consultations

The application was subject to notification of nearby properties with 54 addresses notified of the proposals by way of letter, a further notification period was undertaken following receipt of further information from the applicant in respect of tree surveys. 4 comments were received in response to the original notification process raising concerns with the application proposals. In addition, concerns were raised by Cllr Mandie Shilton- Godwin. A summary of those comments made is set out below:

*Chorlton Park Ward Members* – Cllr Shilton-Godwin – Concerned with the loss and removal of trees on the site and disturbance of an area that has been left alone so long. As well as concerns on the impacts on wildlife and loss of biodiversity there are also concerns about the impacts of the loss of trees on water run off.

### *Residents* –

- Appears to be a lack of consideration of wildlife that uses the area including red listed birds, hedgehogs, and owls
- I understand that Cadent need larger storage and not 100% against the work but not at the expense of clearing the entire area
- The building could be sited differently which would retain some of the trees on site
- There are problems with flooding on Barlow Moor Road as soon as it rains, how would this structure impact on drainage.
- The proposals places construction directly on top of habitat used by wildlife and the applicant has failed to suggest a habitat replacement for protected species before its removal.
- The proposals do not protect or enhance the built and natural environment.
- The current kiosk generates some significant noise during operation, an enlarged structure would increase noise levels.
- The application could be seen to suggest that the long term sustainability goals in terms of energy infrastructure in Manchester for the next 20 years should focus on gas infrastructure. This doesn't align with national planning policies.
- Additionally the proposed weldmesh fencing will in reality, directly become new boundary markings for the surrounding properties, replacing current borders with metal, anti climb fencing This provides no suitable screening both visually and acoustically for its neighbours.
- There would be impact on residents from construction noise associated with the development.

- At the heart of this application is a proposal to meet an increased demand for an unsustainable energy source, by decreasing a green undeveloped natural habitat in order to achieve this.

*Manchester City Council Neighbourhood Services (Arboriculture)* – The proposed development will require the removal of several category C and B trees. However, given that the trees are not prominent features and appear to be mostly self set specimens we would have no objection to the proposals. Due to the limited site of the site it is not recommended that mitigation tree planting is undertaken on the site.

*Manchester City Council Environmental Health* – Recommend a condition be attached to any approval relating to the acoustic insulation of the kiosk to limit the break out of noise.

*Greater Manchester Ecology Unit* – Recommend a condition be attached to any approval that a pre-works check prior to the start of any ground works to ensure there are no mammals on the site. It is recommended that the installation of a bat box on a retained tree would be a useful biodiversity measure for this site.

## **Policy**

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

### *Core Strategy Development Plan Document*

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

Relevant policies in the Core Strategy are detailed below:

Policy SP 1 Spatial Principles – The proposals seek to reuse an existing site which transports gas around the network and as such do re-use previously developed land.

Policy EN3 Heritage – The site lies 80 metres north west from the Grade II listed Manchester Crematorium and 105 metres from the western boundary of the Grade II

Registered Park and Garden of Southern Cemetery. Further consideration of this matter is set out within the issues section.

Policy EN9 Green Infrastructure – The proposals would remove the existing trees within the site and the requirements of the infrastructure would mean that replacement trees could not be planted on the application site. In response the applicant has indicated their support towards providing off site mitigation tree planting.

Policy EN14 Flood Risk – The site falls within Flood Zone 1 and is at low risk of Flooding. The applicant has indicated that surface water would be disposed of via a soakaway.

EN15 Biodiversity and Geological Conservation – A Preliminary Ecological Appraisal Report and Badger Survey report were prepared to accompany the application. This confirms that the site supports young to semi-mature unmanaged broadleaf woodland, with some individual more mature trees. The survey concluded that the existing building on site and two trees had Low suitability for roosting bats with all other trees assessed as having a negligible value. The small size of the site was considered to not provide any significant foraging resource for local bat populations. roosting potential with potential for bat foraging along the tree belt on the eastern boundary of the site.

Policy DM 1 Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

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

The application is considered in detail in relation to policy DM1 within the issues section below.

#### *Saved Unitary Development Plan Policies*

##### DC26.1, DC26.2 and DC26.5 Development and Noise

The applicant indicates that the proposed equipment would not be expected to generate any new or increase noise levels. The gas governor equipment would be

housed within the proposed kiosk and is not anticipated to generate a notable difference from the existing noise levels. The infrastructure in relation to the gas governor is permitted development not requiring planning permission with only the housing Kiosk and fencing requiring planning permission. This matter is considered in more detail within the issues section of this report.

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

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.

#### **Other material considerations**

##### 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.

#### **Issues**

*Principle* – The principle of the upgrading of existing energy infrastructure on land that is currently used for that purpose is generally considered to be acceptable. In this instance further consideration is required of the visual impacts of the proposed Kiosk and fencing, impacts on residential amenity, together with consideration of ecological impacts and tree loss as a result of the proposals.

*Visual Impacts* - The application site is not publicly accessible being located approximately 45 metres from Barlow Moor Road along an access route that has been gated.

The proposed Kiosk building is set out within the planning submission as having a height of 3.28m from it's finished floor level (height from ground level of 3.4m approx.), with a width of 6.2m and length of 11.8 m. The building would be finished in a green GRP material which is a similar finish to other such installations and electricity sub-stations across the city. The footprint of the proposed building is significantly greater than the existing Kiosk on site. The applicant sets out that modern guidance and regulations require a 3 m clearance around the gas governor infrastructure which results in the buildings footprint being of the scale proposed.

The building has been sited to sit 3 metres away from the rear garden boundaries of properties on Barlow Moor Road and just under 3m from the rear boundary of the rear garden of number 60 Houghend Avenue and 2 metres at its closest point from the rear garden of number 62 Houghend Avenue. Given the single storey nature of the building, the distances from public vantage points, and the distances from the boundaries with the closest residential properties and from upper floor windows within them it is not considered that the proposals Kiosk building would give rise to unacceptable impacts on the visual amenity of the area or on nearby residential properties.



### **Elevation drawings of the proposed Kiosk which would be finished in a green GRP (Glass Reinforced Plastic) material**

The proposed fencing would replace the existing security fencing around the site, the replacement is of a modern weldmesh finish similar to fencing installed around school sites and other commercial properties and is considered to be a visually superior boundary treatment than the existing more industrial type of fence. The height at 2.4m is considered acceptable and whilst generally higher than that found within the vicinity of the site is acceptable given the need to ensure the security of the infrastructure on the site. The applicant has confirmed that the proposed fencing would not result in the need to remove existing boundary treatments within residential gardens adjacent the site.

*Residential Amenity* – Concerns have been raised by residents with regards to noise resulting from the infrastructure installed. As set out above the permitted development rights of the applicant allow for the installation of the ‘Gas Governor’ equipment. It is considered that the Kiosk would act as a barrier to some elements of noise breaking out from the equipment inside. However, in this instance it is recommended that a condition be attached to any approval as recommended by MCC Environmental Health to ensure suitable acoustic insulation measures are used within the kiosk to reduce noise break out.

As set out in the preceding section it is not considered that the scale, height and appearance of the Kiosk together with intervening boundary treatments and

distances from the rear of adjoining gardens give rise to unacceptable impacts on residential amenity.

*Loss of Trees* – Since the application proposals were submitted, the site has been cleared of trees by the applicant.

The application documents indicate that the nature of the proposals together with the footprint of the building means there is not scope for the mitigation for the loss of these trees to be made on the application site.

Of the 21 surveyed trees, 16 were to be removed to facilitate the development and of these 5 were categorised as B category trees (trees of moderate quality) with the other 11 being C category trees (trees of low quality). None of the trees have been identified by the Council's arborists as being worth of statutory protection by way of Tree Preservation Order and the site is not within a conservation area.

4 other trees within the vicinity of the site were identified as being within the area of direct influence of the development proposals and could be compromised by soil compaction during construction works. It is recommended that an Arboricultural Method Statement is prepared and submitted for approval prior to construction works taking place to ensure appropriate construction methods are used to minimise impacts on trees outside of the area of works that could be impacted.

The loss of 16 trees on the site is regretted, these works could have been undertaken prior to the submission of the planning application given the lack of formal protection of the trees. The applicant's information submitted alongside the application has confirmed that the trees were not of a high quality but clearly had a value to residents whose properties adjoin the site. In this instance the applicant has indicated that they are willing to work with the Council to fund the off site mitigation in the form of a tree replacement scheme. This scheme would be identified in the vicinity of the site and in consultation with the Council's arborist and the Council's lead on Green Infrastructure and Biodiversity. Whilst this scheme would not replace trees on the site, it is noted that at the current time the requirement for energy infrastructure of the nature proposed does not allow for onsite provision to be made. The Council's arborist is supportive of off-site mitigation in this instance which would be secured by way of suitably worded condition.

*Ecology* – The applicant submitted a Preliminary Ecological Appraisal and addendum to support the application proposals. This assessed impacts on ecology and protected species and whilst not identifying significant effects on protected species it does acknowledge the need for compensatory tree planting and provision of bat and bird boxes to mitigate the loss of trees and habitat on the site. The submitted information has been fully assessed and as identified above a condition is proposed in relation to the tree mitigation and further condition will be required to secure further biodiversity enhancements as recommended within the submitted Ecological Appraisal.

*Conclusion* – It is acknowledged that there is still a requirement to upgrade existing energy infrastructure to ensure it is safe and conforms to current guidance and



standards. In this instance it is the surrounding Kiosk and security fencing that requires planning permission.

As set out above the applicant has made a commitment to working with the Council to provide an off-site tree replacement scheme which is to be secured by way of appropriately worded condition. In this instance the proposals are considered to be acceptable and not give rise to unacceptable impacts on residential or visual amenity.

## **Other Legislative Requirements**

### **Equality Act 2010**

Section 149 (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.

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

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

**Recommendation**      APPROVE

### **Article 35 Declaration**

The application has been considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. Problems and/or issues arising in relation to dealing with the application have been communicated and discussed with the applicant's agent, in

this instance appropriately worded conditions are proposed to be attached to any decision.

### Conditions

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

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

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:  
 22004461\_PLN\_SI\_5.1 Proposed site plan as received by the local planning authority on the 13<sup>th</sup> December 2022  
 70096291-WSP-ZZ-00-DG-AR-0103-P01 Pressure Reduction Installation Proposed Elevations as received by the local planning authority on the 8<sup>th</sup> March 2023  
 70096291-WSP-XX-XX-DG-CV-1005 P02 Governor PRI Fencing Layout and Details as received by the local planning authority on the 10<sup>th</sup> March 2023  
 Arboricultural Impact Assessment November 2022 Report Number 01  
 Preliminary Ecological Appraisal reference CRM.3022.002.EC.R.001 together with Badger Addendum (December 2022) and accompanying letter dated 9<sup>th</sup> December 2022 all as received by the local planning authority on the 13<sup>th</sup> December 2022

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

- 3) Prior to the commencement of works an arboricultural method statement relating to works in the vicinity of root protection areas of retained trees shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the approved details.

Reason - In order avoid damage to trees/shrubs adjacent to the site which are to be retained in accordance with policies EN9 and EN15 of the Core Strategy.

- 4) Prior to any ground works commencing on site, an inspection of the site shall be undertaken by a suitably qualified person to ensure the absence of any mammals from the site. The results of the inspection and details of who undertook them shall be submitted to and agreed in writing by the City Council as local planning authority.

If following the inspection, the presence or evidence of any mammals on site are found, a method statement shall be prepared and shall include details of how mammals are to be protected during the construction works. The method statement shall be submitted to an approved in writing by the City Council as local planning authority.

The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

- 5) a) The gas governor kiosk shall be acoustically insulated and treated to limit the break-out of noise in accordance with a noise study 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 of the associated equipment commences.
- b) Within one month of the first use of the equipment housed within the Kiosk building 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 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 policy DM1 of the Core Strategy and saved Unitary Development Plan DC26.

- 6) Prior to the first use of the equipment housed within the hereby approved Kiosk building details of a surface water drainage scheme shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed pursuant to national policies within the NPPF and NPPG and Core Strategy policies EN08 and EN14.

- 7) Prior to the first use of the equipment housed within the hereby approved Kiosk building, details of a tree replacement scheme shall be submitted to and approved in writing by the City Council. The submitted scheme shall set out the method in which the tree replacement scheme is to be secured and timescales for its implementation.

Reason - To ensure that a satisfactory tree mitigation scheme for the development is carried out pursuant to policies SP1, EN9 and DM1 of the Core Strategy.

- 8) Prior to the first use of the equipment housed within the hereby approved Kiosk building, details of biodiversity enhancements to be installed shall be submitted to and approved in writing by the City Council. The submitted scheme shall set out the method in which the biodiversity enhancements are to be secured and timescales for their implementation.

Reason – Pursuant to biodiversity enhancement, in accordance with policy EN15 of the Core Strategy and the National Planning Policy Framework.

### **Local Government (Access to Information) Act 1985**

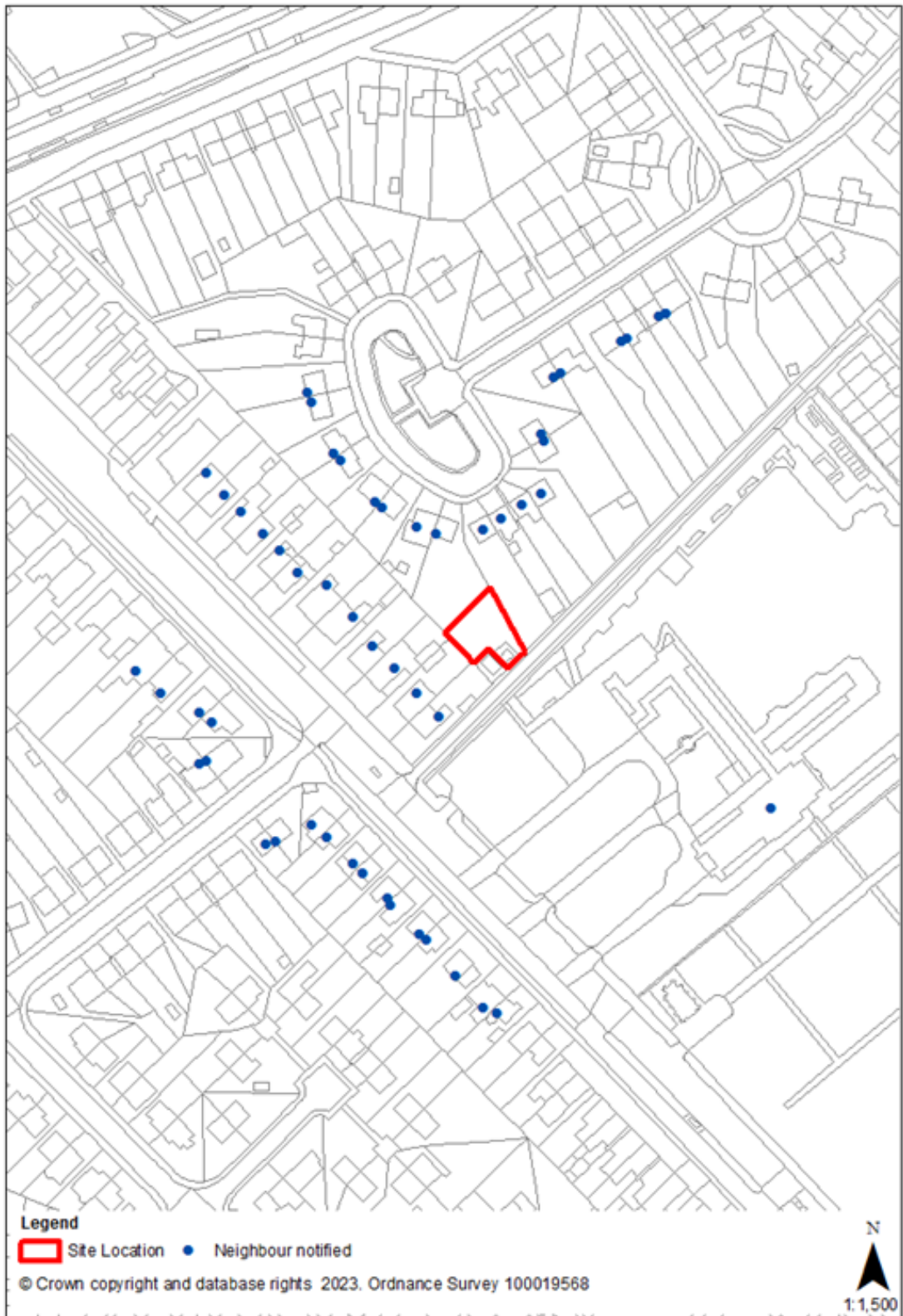
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 135733/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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:**

**Environmental Health  
Electricity Northwest  
Greater Manchester Ecology Unit  
MCC Neighbourhoods (Arborists)**

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

**Relevant Contact Officer :** Robert Griffin  
**Telephone number :** 0161 234 4527  
**Email :** robert.griffin@manchester.gov.uk



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| <b>Application Number</b> | <b>Date of Appln</b>      | <b>Committee Date</b>     | <b>Ward</b> |
|---------------------------|---------------------------|---------------------------|-------------|
| 134160/00/2022            | 19 <sup>th</sup> Oct 2022 | 13 <sup>th</sup> Apr 2023 | Baguley     |

**Proposal** Outline application with all matters reserved for the erection of one (3 bed) detached dwelling, with associated car parking and landscaping

**Location** Land to the North Of 27 Capenhurst Close, Manchester, M23 2SL

**Applicant** Shenstone Properties Ltd

**Agent** Mr John Coxon, John Coxon and Associates

### **Executive Summary**

The applicant is proposing to erect a three bed detached dwelling on the site. Eleven letters of objections have been received, nine in relation to the original proposal, which was for a pair of dwellings, and two in relation to the proposal now before the Committee. The main concerns raised include impact on the existing on-street parking arrangements, residential amenity, pedestrian/highway safety and existing ecological features.

### **Description**

This application relates to a rectangular plot of land, approximately 495m<sup>2</sup> in size, which is located to the north of nos. 27 to 33 Capenhurst Close. The site is vacant and remained undeveloped after the Capenhurst Close and Stapleford Close development (F17127, approved 28<sup>th</sup> April 1982) was completed in the late 1980s. The site is shown below:

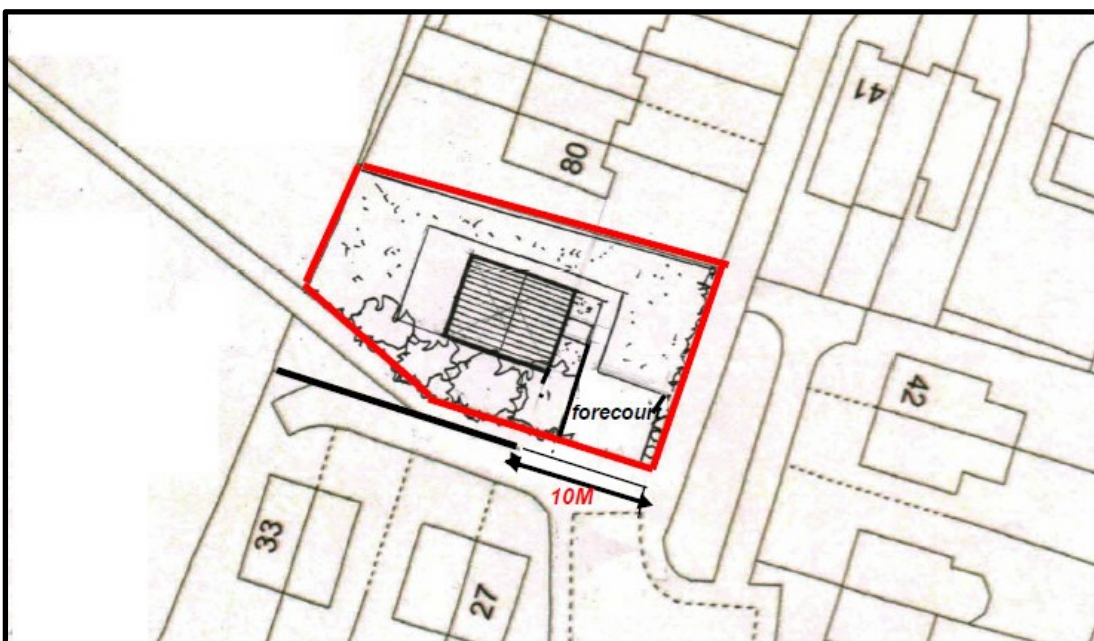


To the north of the site stands no. 80 Stapleford Close, a two storey end terraced property. To the east there is a footpath, followed by a landscaped strip and then an access road that serves nos. 38-42 Capenhurst Close. To the south there is another footpath, which runs through to Clay Lane and beyond that there is a brick wall which provides separation between the footpath and the driveway serving nos. 27 to 33 Capenhurst Close. To the west of the site there is a matured landscaped strip and beyond that is Clay Lane.

The applicant is seeking *Outline* consent (all matters reserved) for the erection of a detached two storey dwelling (three bed) on the site, with access gained from Capenhurst Close. Originally the applicant proposed a pair of semi-detached dwellings but as concerns were raised about the proposed vehicular access the proposal was amended to that now before the committee. Vehicular access to the site would be from Capenhurst Close (in direction of the yellow arrow seen below) and it would require the removal of the bollards and a portion of the wall encircled in red.



The proposed layout is shown below:



### Consultations



**Local Residents** – Eleven letters of objection have been received, two in relation to the revised proposal for one dwelling and nine in relation to the original proposal for two dwellings. The main points are summarised as follows:

- Capenhurst Close is constantly congested with cars parked by residents and those working or visiting Wythenshawe Hospital. Refuse vehicles have problems undertaking collections given the amount of parking cars. This proposal would exacerbate the situation.
- Delivery and construction vehicles will cause parking and pedestrian safety problems.
- Delivery vehicles might block Floats Road which will have serious consequences for access to the hospital for emergency vehicles.
- Visitors to Capenhurst Close will find it difficult to park on the street.
- The plot of land, having been neglected by the applicant, now has an abundance of wildlife inhabiting it.
- The public footpath and right of way surrounding the plot does not give access for vehicles to get to and from the site. Bollards prevent access from Capenhurst Close. Building on the plot will impact upon pedestrian safety as the footpath is well used throughout the day.
- The proposal would have a negative impact upon existing levels of privacy.
- The parking of construction vehicles on the site would encourage crime and bring disruption to the area.

**Highway Services** – Highways Services have made the following comments:

- It is noted that the surrounding area has off-street parking in the form of driveways off Capenhurst Close. It is also noted that on-street parking does occur in this location and H-Bars have been installed to reduce inconsiderate parking for residents. Therefore, it is acknowledged that vehicles do drive over existing footways in order to access a driveway. What is different here is that there is also a relevant footpath.
- The submitted information proposes a potential access from Capenhurst Close. It is acknowledged that at this stage the designs are *Outline* and other matters such as access are to be picked up in a future application. It is important to note that any access will require some works to the existing highway and adjacent properties, which have already been suggested to the applicant.
- Therefore, at this stage Highways acknowledges that the existing properties on Capenhurst Close have off-street parking in the surrounding area. However, without detail on access for all modes Highways are unable to provide detailed comments.

**Environmental Health** – Suggests the imposition of conditions regarding ground contamination, refuse storage, electric vehicle charging and construction management.

**MCC Flood Risk Management** – Suggests the imposition of a condition designed to prevent increased risk of flooding and to preserve water quality.

**Neighbourhood Team Leader (Arboriculture)** – No objection to the development subject to the developer working in line with the specifications in the Arboricultural method statement and BS:5837.

**United Utilities Water PLC (UU)** – National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

- a) into the ground (infiltration);
- b) to a surface water body;
- c) to a surface water sewer, highway drain, or another drainage system;
- d) to a combined sewer.

UU recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

**Greater Manchester Police (GMP)** – GMP have made the following comments:

- The proposed development should be designed and constructed to Secured by Design standards including laminated glazing; security-certified windows and doors. Developments that are built to this standard are less likely to be susceptible to crime.
- All boundary treatments adjacent to publicly accessible land, in particular the rear boundary, should be 2.1 metres in height.
- The new area is well illuminated to provide a deterrent to would be criminals; this would also improve surveillance of the area.
- Entrance gates should be installed that lead to the rear of the property and they should be set as close to the building line as possible.
- *Dusk til Dawn* lighting should be installed on all external doors

## Policies

**The National Planning Policy Framework July 2021 (NPPF)** – The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Sections 5 (*Delivering a sufficient supply of homes*) and 15 (*Conserving and enhancing the natural environment*) is of relevance:

Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment.

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

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

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H7, *Wythenshawe* – The Council expects that Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

Policy EN1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban Design and have regard to the strategic character area in which the development is located. This site is in the area defined as Wider Wythenshawe, policy EN1 defines the character of this area as:

*“Wythenshawe was developed along the principles of the 'garden city' movement. The wider area represents a phased series of predominantly social housing dating from the 1920s to the 1960s, with some later infill developments and industrial zones. There is a predominance of low rise, low density semi-detached houses, short terraces and low rise blocks of flats and maisonettes, all set within private gardens, incidental open space, public amenity spaces and pockets of semi-natural and woodland areas. The key focal points for activity are the transport corridors, hospital and District Centres. The principal features to be retained in any new development is the sense of the existing low rise suburban character set within soft landscape.”*

Policy EN19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

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

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

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

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

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers

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

**Manchester Residential Quality Guidance 2016** – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016).

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

**Guide to Development in Manchester Supplementary Planning Guidance** – Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

## **Issues**

**Principle of the Proposal** – Given the predominantly residential character of the neighbourhood, there is no objection in principle to the erection of a single dwelling on this site. Notwithstanding this, concerns about parking, impact on pedestrian safety and residential amenity must be assessed.

The application site has been left unfenced and has been accessible by the public. However, it is not protected in any way and could be fenced off at any time. The loss of open space is not considered to be an issue that would prevent permission being granted in this case.

**Space Standards** – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards for residential developments.

Even though this application is in *Outline*, the applicant has provided a site plan and indicative floorplans that indicates the property would have approximately 114m<sup>2</sup> of floorspace over two floors. As this is in excess of the Space Standards' requirements (87m<sup>2</sup> to 102m<sup>2</sup>), it is considered that there is sufficient space for the detailed matters to comply with Manchester's space standards.

**Access** – Vehicular access to the site would be via the end of Capenhurst Close and would require removal of a number of bollards and a section of the brick wall that runs along the side of the driveway that serves nos. 27 to 33 Capenhurst Close. Given that this proposal is for a single dwelling and the fact that the majority of the dwellings on Capenhurst Close have a vehicular access point that crosses a public footpath, there is no objection in principle to the access point being in this location.

Highway Services have requested that the design of the vehicular crossing point is more detailed (kerb radii, tactile paving etc). However, as this is an *Outline* application these details have not been forthcoming. Notwithstanding this, as access to the site would be subject to a *Reserved Matters* application, it is considered that the detailed design of the access can be adequately dealt with under that process. Local residents would be notified of any subsequent *Reserved Matters* application which would need to include a detailed design and any necessary mitigation in order to overcome any concerns in relation to sight lines, pedestrian safety and any necessary vehicular turning space within the application site.

**Pedestrian Safety** – Subject to the design of the aforementioned access, it is not considered that the comings and goings of residents' vehicles from the site would have an unduly detrimental impact upon the levels of pedestrian safety enjoyed within the vicinity of the site.

Concerns have been raised about the construction of the dwelling and the impact of contractor parking and deliveries. To ensure that any impact is kept to a minimum a condition requiring the applicant to submit a construction management plan is suggested in this instance.

**Parking** – The indicative layout shows that two car parking spaces would be provided to the front of the property, this is considered sufficient for a property of this size.

Concerns have been raised that opening up the end of the cul-de-sac to provide vehicular access to the site (yellow arrow) would reduce the number of available on-street parking spaces. It is noted that Capenhurst Close is subject to a number of white H bars road marking (circled in green) which have been put in place to discourage anti-social parking. One such H bar is located in front of the proposed access point so there should be no car parking in this location, irrespective of the presence of the proposed dwelling. Accordingly, it is not considered that the proposal would reduce the limited amount of on-street parking that currently exists on Capenhurst Close.



**Electric Vehicle Charge Points** – Provision of an electric vehicle charging point within the site would be required by recommended condition no. 10.

**Residential Amenity** – A number of factors have been assessed in order to judge the impact of the proposal upon residential amenity:

**Impact upon Privacy** – The proposed dwelling would be orientated on the east-west axis and as such there would be no habitable room windows overlooking nos. 27 to 33 Capenhurst Close and no. 80 Stapleford Close. It is likely that there would be habitable room windows in the front elevation of the proposed dwelling but as these would be approximately 26 metres away from nos. 40 to 42 Capenhurst Close, it is not considered that they would lead to a reduction in privacy. There are no neighbouring dwellings to the rear of the site. In light of the above, it is not considered that the development would lead to any undue loss of privacy resulting from overlooking.

**Noise** – Given the proposal is for a single dwelling and the domestic nature of the activity that would be associated with it, it is not considered that the proposal would be an inherently noise generating development.



**Daylight/Overshadowing** – As the proposed dwelling is only two storeys in height and sited a sufficient distance from any of the adjoining properties, it is not considered that any of the existing dwellings on Capenhurst Close and Stapleford Close would see a reduction in daylight or be subject to overshadowing.

Overall, it is not considered that the proposal would have an unduly detrimental impact upon the levels of residential amenity currently enjoyed within the vicinity of the site.

**Design** – The design of the dwelling would be the subject of a *Reserved Matters* application and local residents would be duly notified of its submission. As the proposed dwelling would be two storeys in height on a plot size which is comparable and larger than those in the neighbouring area it is considered that a dwelling can be designed to be in keeping with the grain and form of development in the surrounding area.

**Level Access** – The applicant would be required to ensure that the dwelling has level access and this provision would be the subject of a *Reserved Matters* application.

**Visual Amenity** – Given the residential character of the neighbourhood and the fact it is made up predominantly of two storey semi-detached and detached dwellings, it is not considered that erecting a single two storey dwelling on this site would have an unduly detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the site.

**Trees** – To facilitate the proposal the applicant is proposing to fell two trees – a category B poplar which is leaning into the site and a category C holly which is located along the boundary with no. 80 Stapleford Close. Neighbourhood Team Leader (Arboriculture) has no objection to their removal subject to any trees works and redevelopment being undertaken in accordance with the relevant British Standard.

Given the condition and location of these trees, and the comments of Neighbourhood Team Leader (Arboriculture), there is no objection to their removal. However, it is important that a condition of the planning permission requires the submission of a landscaping scheme in order to ensure that sufficient landscaping and tree replacement is provided to create a setting for the new property.

**Landscaping** – Provision of a suitable landscaping scheme, which includes replacement trees planting, would be subject to a *Reserved Matters* application and a condition is also included to ensure that this matter is dealt with appropriately.

**Ecology** – There are no known ecological features within the site but a condition concerning vegetation clearance together with a condition to require biodiversity enhancements are recommended. An informative about bat habitation would be attached to any approval granted.

**Crime Prevention** – The proposal does not raise any crime prevention issues. A condition requiring the development to achieve *Secured by Design* accreditation is suggested in this instance.

**Air Quality** – During the construction phase of the development there is the potential for air quality impacts. However, assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition would ensure that appropriate measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the site. However, given the proposal is for one dwelling, the overall significance of potential impacts is considered to be low.

As a result of the above and given the provision of a vehicle charging point, it is considered that the proposal would not have a detrimental impact upon the air quality levels experienced within the vicinity of the site.

**Environmental Standards** – As this is an outline application full details relating to the environmental standards for the proposed dwelling have not been provided. A relevant condition is recommended relating to the submission of details of appropriate environmental standards and associated renewable energy features.

### **Conclusion**

The proposed dwelling would be two storeys in height on a plot size comparable with those in the neighbouring area. Furthermore, it is considered that the dwelling can be designed to be in keeping with the character of the area, this would be the subject of a future *Reserved Matters* application.

It is recognised that local residents have concerns about the impact of the proposal upon pedestrian safety, but it is considered that the submission of detailed drawings through the *Reserved Matters* process would ensure that the proposed access arrangements are correctly designed to remove any conflict with pedestrians. In addition to this, it is not considered the proposal would have a detrimental impact upon the existing on-street parking provision.

## **Other Legislative Requirements**

**Equality Act 2010** – Section 149 (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.

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

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

## **Recommendation – APPROVE**

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

### **Condition(s) to be attached to decision for approval**

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

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

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

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

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

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

- a) Site Plan, stamped as received on 24 June 2022
- b) Indicative layout plan, stamped as received on 7 December 2022
- c) Tree Age/Condition Survey and Method Statement, stamped as received on 23 January 2023.

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.

4) Any application for reserved matters relating to scale and layout shall follow the principles and parameters set out in the approved drawings, in particular the indicative layout plan, stamped as received on 7 December 2022, and shall include a maximum height of between 2 and 2.5 storeys

Reason - To ensure the development does not exceed the parameters disclosed in the planning application, pursuant to policies DM1 and SP1 of Manchester Core Strategy.

5) No above ground works shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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

6) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

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.

7) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

8) Prior to the commencement of above ground works a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the development is in operation.

Reason - In the interests of residential amenity, pursuant to policy DM1 in the Manchester Core Strategy.

9) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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.

10) Above-ground construction works shall not commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority. The approved charging point shall be provided prior to first occupation and retained thereafter.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

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

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

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

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

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

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

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

13) Prior to the commencement of above ground works, detailed drawings of the boundary treatment shall be submitted to and approved in writing by the City Council as local planning authority. The approved boundary treatment scheme shall be implemented prior to the occupation of the development hereby approved and shall remain in-situ thereafter.

Reason - In the interests of residential amenity, pursuant to policy DM1 in the Manchester Core Strategy.

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

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

15) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

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

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3, H1, H6 and H11 of the Manchester Core Strategy and the guidance contained within National Planning Policy Framework including section 16.

17) 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, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

18) Prior to the commencement of above ground works, details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. 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 Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

19) Prior to the commencement of above ground works an Environmental Standards Statement, which addresses sustainability ratings and the provision of renewable energy within the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall be carried out in accordance with those details.

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

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4, EN6 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.

20) Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved by the Council. The Construction Management Plan shall contain the following:

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Hours of working

The development shall be carried out in accordance with approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase, pursuant to Policy DM1 in the Manchester Core Strategy.



**Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 134160/00/2022 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:**

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

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

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

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

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