



## **Planning and Highways Committee**

Date: Thursday, 14 March 2024

Time: 2.00 pm

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

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

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

Lyons (Chair), Shaukat Ali, Andrews, Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Johnson, Kamal, J Lovecy and Riasat

## Agenda

---

- 1. Urgent Business**  
To consider any items which the Chair has agreed to have submitted as urgent.
- 1a. Supplementary Information on Applications Being Considered**  
The report of the Director of Planning, Building Control and Licencing will follow.
- 2. Appeals**  
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**  
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes**  
To approve as a correct record the minutes of the meeting held on 15 February 2024. 5 - 12
- 5. 138768/VO/2023 - 258 Brownley Road Manchester M22 5EB**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 13 - 30
- 6. 138801/VO/2023 - 69 Dickenson Road Manchester M14 5AZ**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 31 - 54
- 7. 138808/FO/2023 - Car Park At Junction Of Charles Street And York Street Manchester**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 55 - 160
- 8. 139066/FH/2024 - 183 Withington Road Manchester M16 8HF**  
The report of the Director of Planning, Building Control and Licensing is enclosed. 161 - 180

## Meeting Procedure

---

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

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

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

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

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

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

## Information about the Committee

---

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

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

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

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

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

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

## Further Information

---

For help, advice and information about this meeting please contact the Committee Officer:  
Callum Jones  
Tel: 0161 234 4940  
Email: [callum.jones@manchester.gov.uk](mailto:callum.jones@manchester.gov.uk)

This agenda was issued on **Wednesday, 6 March 2024** 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 15 February 2024**

**Present:** Councillor Lyons - In the Chair

**Councillors:** Andrews, Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Kamal, Lovecy, Riasat

**Apologies:** S. Ali, Johnson

**Also present:** Councillors T Judge and Taylor

#### **PH/24/09      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding applications 138768/VO/2023, 138712/FO/2023, and 138730/FO/2023.

#### **Decision**

To receive and note the late representations.

#### **PH/24/10      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 18 January 2024 as a correct record.

#### **PH/24/11      138294/FO/2023 - Land At Plymouth Grove Manchester**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of a part six storey, part eight storey building for use as purpose-built student accommodation (PBSA) (Sui Generis) comprising 263 bed spaces, with associated amenity space, cycle parking, external landscaping, access and other associated works.

The application proposed a 6 to 8 storey purpose building student accommodation (PBSA) building with ground floor amenity space.

Two previous planning permission had been granted at the site for a 7-storey building for residential purposes and occupied a similar footprint to the proposed development.

6 objections had been received.

The Planning Officer confirmed that Committee members had been on a site visit, where questions were raised. One of those related to the relationship between the proposed development with neighbouring properties, including 21 Plymouth Grove. The Planning Officer stated that the relationship was acceptable and was also in line

with the parameters established under the 2017 permission that remained extant. A further question was raised relating to the layby and provision of disabled parking on Dryden Street. It was noted that this issue had been considered in the printed report and there was no principal issue relating to highway and pedestrian safety.

The applicant's agent attended and addressed the Committee, stating that the development was purpose-built student accommodation, specifically marketed at second and third-year students. The development would reuse a vacant brownfield site that is in close proximity to the core university areas. The site had previously had two planning permissions for residential properties and this development occupied a similar footprint to a previous permission. The design was of high quality and would contribute positively to the area. The application fully accorded with Policy H12 and would bring economic benefits of the creation of 130 jobs during construction. There would be an affordable element within the development. The development would meet identified need for new student accommodation in a sustainable location near to the university.

A member commented that they were disappointed there was a lack of greenery at the borders of the development.

The Planning Officer noted that the report provided the landscaping and public realm layout at page 62. The development would be set back and would not reach the footpath edge, which would allow for a degree of public realm around the perimeters. They noted there would be two principal areas of soft landscaping and recreational space that would provide biodiversity and ecology benefits.

Councillor Andrews moved the Officer's recommendation.

Councillor Riasat seconded the proposal.

## **Decision**

The Committee resolved to be Minded to Approve subject to the signing of a section 106 agreement to secure the provision of affordable rented accommodation, that private waste collections would take place for the perpetuity of the development and secure the project architect.

### **PH/24/12 138424/FO/2023 - All Saints Campus Oxford Road Manchester M15 6BH**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the part demolition and redevelopment of existing library building to form new library (Use Class F1) including a new 13 storey building, external amenity spaces, public realm, access, and servicing arrangements and other associated works.

The proposal was for the part demolition of the All Saints Library and All Saints Building, and erection of a 13-storey library building with amenity spaces and public realm.

Two letters of objection had been received from the same individual.

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

The applicant's agent attended and addressed the Committee, noting that the application had been brought forward by Manchester Metropolitan University as the next stage in investment in their estate. The application would provide a further world class facility, adding to the appearance and environment of the Oxford Road corridor. It would replace an outdated library with a modern, dynamic library environment, fostering community and belonging. It was noted that the existing library did not hold sustainability credentials, and these proposals were a low carbon and sustainable design. It was stated that the overwhelming majority of feedback received in consultation was positive.

A member sought clarity on disabled parking provision within the application. A member also sought assurance that the design as applied for was what would be delivered if approved.

The Planning Officer noted that there was no specific parking provision contained within the application. The development was to be situated on a campus that already had those facilities for those who required it. The Planning Officer also noted that they had challenged the applicant on if the application was deliverable. They had been reassured by the applicant that it was a buildable scheme.

Councillor Andrews moved the Officer's recommendation.

Councillor Chohan seconded the proposal.

## **Decision**

The Committee resolved to Approve the application.

### **PH/24/13 138768/VO/2023 - 258 Brownley Road Manchester M22 5EB**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding a City Council development which was to change the use of a former probation centre (Class E) to a homeless shelter for up to 20 homeless people (sui generis).

The conversion of a vacant probation centre to a homeless shelter would provide 20 bedrooms for single homeless people, incorporating communal living areas, staffroom, and parking.

Objections had been received from 92 local residents, together with 2 letters of support.

The main concerns raised related to the proximity of the proposed use to a neighbouring children's day nursery and safeguarding issues; anti-social/criminal behaviour perceived to be generated by prospective residents; the use of the open space opposite and interaction with children; the impact to nearby property values

and the provision of satisfactory operational arrangements, to ensure that the development does not harm the living conditions of nearby residential occupiers.

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

A representative for the applicant attended and addressed the Committee, noting the application would provide temporary accommodation for homeless people within Manchester who require low to medium support. The site would be managed by a team leader, with ten staff on a 24/7 rota. There would be a minimum of three staff on site at all times. Residents would be in this accommodation for a maximum of six months, with most moving on quicker. The applicant had a proven track record of managing such establishments successfully. All residents would sign a licence agreement that if broken would mean them losing their place in the accommodation. The accommodation would have a no visitor policy. It was noted that there was a shortage of this type of accommodation in the South of Manchester. The engagement pre-application was wider than usual.

A Sharston ward Councillor addressed the Committee, noting the close proximity to their ward of the application but that they had not been consulted at the same time as Woodhouse Park ward councillors. They felt that Sharston residents needed assurances that the site would be properly managed, and their concerns could not be ignored. They requested that the Committee complete a site visit before determining the application. In particular, the ward Councillor wanted the Committee to look at the impact on parking, litter, anti-social behaviour, security, CCTV and other operational arrangements.

The Planning Officer noted that the consultation was in excess of the statutory requirements and that the local community were aware of the proposed development with over 90 comments received. A drop-in event had been held in Sharston to discuss resident concerns. It is necessary to consider the material planning impacts and whether these could be mitigated, and as part of the consideration a detailed management plan, detailed in the report, would form a condition of planning permission and the implementation of this plan would mitigate against any harm. The existing lawful planning use of the building was that of offices and there is no control in relation to intensity of use or hours of operation. The premises could be used for a number of other uses without requiring an application for planning permission and this includes retail, restaurant or day nursery, again, without any control over intensity of use or hours of operation. The Planning Officer stated that conditions within the application would address the concerns that had been raised.

A member queried if the Planning Officer could confirm which post codes the objections had been received from.

A member accepted that the consultation had been wider than required. They felt that the success of these types of accommodation relied on management and good staff upholding the management plan. The member supported the idea of a site visit.

The Planning Officer did not have a break down of figures relating to where objections had been received from but noted it was a mixture of Woodhouse Park and Sharston residents. They noted that the management plan was clearly detailed



within the report and that the site would be managed by the Council's homelessness team.

Councillor Curley moved a proposal for the Committee to complete a site visit.

Councillor Andrews seconded the proposal.

### **Decision**

The Committee resolved to approve the motion for a site visit.

#### **PH/24/14 138765/FO/2023 - Wren House 108 Palatine Road Manchester M20 3ZA**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of a three-storey building to provide 37 retirement living apartments (comprising 24 no. 1 bed and 13 no. 2 beds) including communal facilities, access, car parking and landscaping and reconfigured car parking arrangement for Wren House.

The application proposals were for the redevelopment of an area of land previously used as surface car parking associated with a former public house on the southwest corner of the junction between Lapwing Lane and Palatine Road in the Didsbury West Ward. The proposals were for the development of a three-storey building to provide 37no. retirement living apartments.

The site is located within the Albert Park Conservation Area and lies adjacent to both Ballbrook and Blackburn Park Conservation Areas. The key issues for consideration of this application were:

- The provision of older person accommodation in this area
- Impacts on the character and appearance of the conservation area
- Impacts on residential amenity of existing residents particularly in respect of privacy and overlooking
- Impacts on trees
- Level of car parking provision
- Density, scale and layout of the proposals

Following notification of the application 4 representations were received including 3 objections and 1 in support. The issues raised related to: the need for this type of residential provision in this area; the scale and design of the proposed building, and the level of car parking. These issues together with other matters were fully considered within the report.

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

The applicant's agent attended and addressed the Committee, noting that the application was for 37 retirement apartments that would be well served by local amenities. The apartments would be situated in a sustainable location. They noted that the housing strategy accepted the need for this type of residential property. They felt the application was comparable in scale to neighbouring buildings and that the

level of parking proposed was sufficient. They stated that the applicant was happy for conditions to be attached to the planning permission as the Committee saw appropriate.

The Planning Officer noted that they supported the principle of the use of the site for retirement living, but the details of the scheme were not appropriate and acceptable in this context within a conservation area, particularly the scale, mass, and materials to be used in construction. They felt the application was out of character with the area. There was also 3-storeys running along the boundary with a neighbouring house and issues relating to overlooking. The Planning Officer stated that this could not be alleviated through the imposition of conditions.

A member raised concerns that the applicant had not worked with Planning Officers to find acceptable conditions.

Councillor Curley moved the Officer's recommendation.

Councillor Gartside seconded the proposal.

### **Decision**

The Committee resolved to Refuse the application.

**PH/24/15     138712/FO/2023 - B&M Home Store Burnage Kingsway Manchester M19 1BB**

The Committee were informed that the item had been formally withdrawn and therefore no determination was necessary.

**PH/24/16     138730/FO/2023 - Land Bounded By Oldham Road (A62), Old Church Street, The Lidl Foodstore And Newton Street Manchester M40 1EZ**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of 3 and 6 storey buildings to form 81 residential apartments (Use Class C3a) and erection of 28, two storey dwellinghouses (Use Class C3a), including green spaces, landscaping, boundary treatment, access arrangements, parking and other associated works.

The proposal would create 109 new homes, all would be affordable (either social rent or affordable rent), within two apartment buildings of 3 and 6 storey and two storey dwellinghouses. There would be public realm, parking and an off-site contribution of £110,000 for environmental improvements, place making and linkages within Newton Heath District Centre. Social Value would also be captured through a local labour agreement. The applicant was committed to ensure that local residents benefit from the development through access to employment.

Part of the site benefited from an extant planning permission for residential purposes. The remaining part of the site, the former Rosedale site, had previously been granted

planning permission for a building which was significantly larger (at 10 storeys) than this proposal. This permission had expired.

This proposal presented a significant opportunity to transform a highly prominent vacant site along a main road route in the City together with having a positive impact on the ongoing transformation of Newton Heath district centre.

This development, together with an adjacent scheme being delivered by the applicant, would deliver 146 new affordable homes across the two developments.

Cllr Hitchen and Cllr Flanagan both object to the proposal.

The Director of Planning noted that many schemes are subject to funding or need to seek funding to be realised. They felt this was a much-needed scheme, providing 100% affordable housing, but that a determination was required to enable the applicant to seek funding required.

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

The applicant's agent attended and addressed the Committee, noting that the application was for 100% affordable housing on an unused Brownfield site. The application would bring 109 new homes, a mix of affordable and social rented housing. Three of those homes would be fully accessible for wheelchair users and all other homes would be adaptable. More than half of the proposed homes were 2 or more bedrooms, intended for families. The remaining 1-bedroom homes would be targeted at smaller families or those who can downsize, enabling larger family homes within One Manchester's portfolio to be freed up. The applicant was committed to entering into a local labour agreement, ensuring construction jobs were made available to Manchester residents. The applicant had agreed to a financial agreement via a Section 106 agreement for environmental improvements, place making and linkages within Newton Heath District Centre. New green infrastructure was also to be provided across the site.

A local ward Councillor addressed the Committee, noting that they did not object to the applications intention to provide affordable and social rented accommodation. Their objection related to the Section 106 agreement and how the £110,000 would be spent. They requested that the financial settlement be spent on the public realm around the nearby library, parking and the disamenity the development would cause.

The Planning Officer noted that the legal agreement states that the financial agreement was for a contribution to improve public spaces and facilities and create a well-designed environment, all of which related to the issues raised by the local ward Councillor.

The Chair requested assurances that local ward Councillors would be involved in discussions relating to the Section 106 agreement.

The Director of Planning noted that the wording in the agreement was loose, and that local ward Councillors could be involved in those discussions.

A member questioned how many of the 109 homes would be social housing.

A member noted that the report states 81 homes would be social housing and sought an assurance that would not be able to change after approval.

A member then requested that the wording of the Section 106 agreement be tweaked to provide assurances that local ward Councillors are involved in discussions.

The Director of Planning stated that it could not be added to the wording on a Section 106 agreement relating to local ward Councillors involvement, but the wording was flexible enough for allowing those discussions to take place around what would be delivered. They assured members that local ward Councillors would be consulted and that the Planning team would guide what was legitimate.

The Planning Officer confirmed that there would be 81 social rented accommodation, and that was controlled by condition 41 in the report.

Councillor Andrews moved the Officer's recommendation.

Councillor Curley seconded the proposal.

### **Decision**

The Committee resolved to be Minded to Approve subject to the signing of a Section 106 agreement to secure a financial contribution towards environmental improvements.

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
138768/VO/2023	6th Dec 2023	14th March 2024	Woodhouse Park Ward

**Proposal** City Council Development - Change of use of former probation centre (Class E) to homeless shelter for up to 20 homeless people (sui generis)

**Location** 258 Brownley Road, Manchester, M22 5EB

**Applicant** Mrs Gaynor Howe, Manchester City Council

**Agent** Mr Jaime Cepeda, Manchester City Council

### **Background**

Consideration of this application was deferred by the Planning and Highways Committee on 14 February 2023 to enable a site visit to take place.

### **Executive Summary**

The application relates to the conversion of a vacant probation centre to a homeless shelter providing 20 bedrooms for single homeless people, incorporating communal living areas, staffroom and parking.

Objections have been received from 92 local residents, together with 2 letters of support.

The main concerns raised relate to the proximity of the proposed use to a neighbouring children's day nursery and safeguarding issues; anti-social/criminal behaviour perceived to be generated by prospective residents; the use of the open space opposite and interaction with children; the impact to nearby property values and the provision of satisfactory operational arrangements, to ensure that the development does not harm the living conditions of nearby residential occupiers.

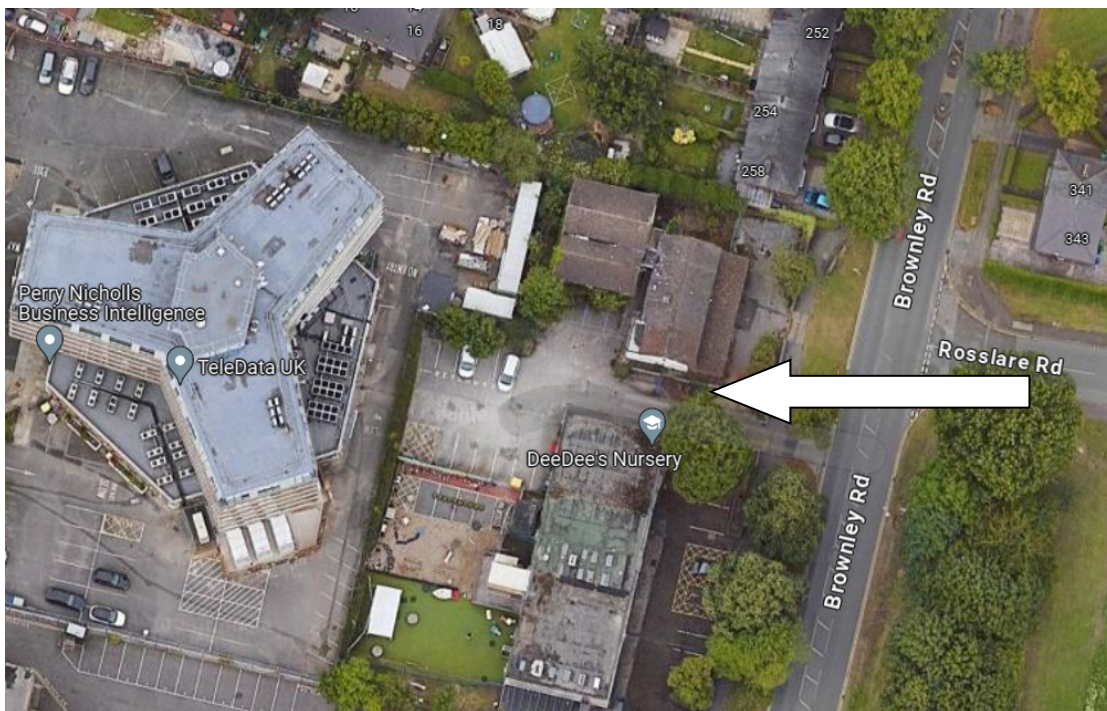
### **Description**

The application site relates to a vacant, part single, part two storey, detached building, formerly in use as a probation centre.



Application site indicated the arrow

The host building, which has been extended to the rear, is flanked by hard surfaces to the front and rear, with parking to the rear of the building provided via a shared access off Brownley Road.



Aerial view of the application site, indicated by the arrow (Extract from Google Maps)

With the exception of the application site and a neighbouring children's day nursery to the south, the immediate area is predominantly residential in character, mainly comprising two-storey terraced and semi-detached dwellinghouses, which lie adjacent to tree lined grass verges. Immediately opposite the site, to the other side of Brownley Road, is a green area of open space, beyond which is a residential estate. Neighbouring the site to the rear, is a large, 1960s multi storey office building (Delta House) which accommodates a data centre and office functions.

## **The Proposal**

Planning permission is sought to change the use of the building from a vacant probation centre (Class E) to a homeless shelter for up to 20 people (sui generis).

The accommodation would be for homeless single people with medium support needs, with provision for 20 bedspaces in total.

The proposed occupiers would have become homeless for a variety of different reasons including no fault evictions, loss of tenancy through depression/anxiety, fleeing domestic abuse, debt, employment, bereavement reaction and relationship breakdowns with family/partners amongst other reasons.

Their support needs would mean that, with the provision of temporary accommodation and support provided by Accommodation Support Workers based on site, they would be able to move on to a settled tenancy of their own relatively quickly.

The aim of the service would be to provide safe and secure temporary accommodation for an average stay of 3 to 6 months for individual single people. Some may move on in a shorter period of time, especially if in employment. The Homeless Service would work with all clients to source settled homes of their own in the private rented sector.

The site would be staffed with Accommodation Support Workers from the Council's Homelessness In-house Temporary Accommodation Service and staffed 24 hours a day, every day. This would include 14 Accommodation Support Workers working on a 24/7 rota, security staff providing a concierge service, all managed by a Team Leader who would also be based on site. In addition, there would be a Move-On Support Worker based on site working with all clients to secure a settled move on option for all. 2 Support workers plus 1 security staff member (3 in total) would be working on site simultaneously at any one time.

A management plan has been submitted to support this application which provides a detailed set of criteria which would be put in place as part of the operation of the facility. This will be referred to within the Issues section of the report and covers the following issues:

- Maximum occupancy would be 20 people and this will not be exceeded.
- The site will provide accommodation for 20 homeless single people, male and female. The staff team will include a Move-On-Officer who will work with clients to source settled accommodation. It is envisaged that the maximum stay will be no more than 6 months. Some will move on much more quickly, especially if they are already in employment.
- There will be a no visitors policy in place for all clients. Staff have full control over who is in the building at any time. There will be a 12-midnight curfew in place.
- Referrals into the service will all come direct from the Homelessness Service, with no referrals taken from any other external agency. This ensures that only suitable people will be housed. People placed into the accommodation will be

booked in during office hours of 9am and 5pm. Move out will also be co-ordinated to take place during office hours.

- All occupiers will be subject to a license agreement which they will sign up to. There will be a set of house rules which the client signs up to and a condition of on-going accommodation. Any behaviour which is in breach means that the client will need to vacate the premises.
- The contact details for the Team Leader and Team Manager will be made available to local communities and resident group representatives should any queries or concerns need to be raised. The Team Leader will work local community organisations and performance information for the site will be shared with local Members monthly. Management will liaise with neighbourhood Services, GMP and ASBAT contacts.
- The Management system will enable the reporting of complaints and resolution.

The In-House Temporary Accommodation Service manages 26 temporary accommodation sites currently across Manchester and is an experienced provider of temporary accommodation and support to homeless people.

The proposed use includes 3 on-site, staff car parking spaces (including 1 disabled space) and an additional area of 5 parking spaces, shared with the adjacent property at No. 260 Brownley Road) which should cater for any additional visitor demand. In addition, cycle storage is proposed to accommodate 6 bicycles.

### **Consultations & Notification Responses**

Local Residents/Occupiers – 92 representations objecting to the proposal have been received, together with 2 letters of support. All objections raise similar concerns that the proposed use is too close to residential dwellinghouses and to the neighbouring children's day nursery and that the proposed use would result in undue noise and disturbance and raises safeguarding issues surrounding anti-social behaviour and crime, as well as undermining local property values.

The letters of supports are provided, as long as the property is managed and supervised correctly to prevent additional social problems in the area.

Councillor Emma Taylor of the neighbouring Sharston ward makes the following comments:

- The proposed site for the homeless accommodation borders onto Sharston and is therefore of interest to Sharston ward Councillors and residents. Addressing homelessness in Manchester is a priority for this council, and something which is supported. However, there are concerns that Sharston residents have not been adequately informed about homelessness' proposals for this site.
- Despite the planning application being submitted in 2023 and the Woodhouse Park members being briefed on the proposals, Sharston ward Councillors were not notified nor briefed on the proposals until being alerted to the application by local residents.
- Although a drop-in was held, this was not held close by and not all residents were informed of the drop in event.



- A site visit was requested in order for Members of the Committee to be able to see the impacts that this service may have in the local area.

Highway Services - Highways anticipate that the proposed change of use is unlikely to generate any network capacity concerns.

The site is located in an established residential/commercial area and is well accessed by bus, with services running within walking distance of the site along Simonsway and Crossacres Road. Metrolink provision can be obtained at both Robinswood Road and Crossacres Road.

The level of parking provision is considered suitable, as it is noted that service user parking demand is anticipated to be low,

An additional area of parking (5no. spaces) is shared with the adjacent property (no. 260 Brownley Road) which should cater for any additional visitor demand. The proposed EV provision is also welcomed.

A proposed cycle shelter is shown within the secure site curtilage for 6no. bicycles to cater for staff, visitors and service users. Sufficient space is available to accommodate both the cycle shelter and bins. Cycle parking demand should be monitored on an ongoing basis, with additional provision provided if necessary.

Environmental Health - – No objection in principle to the proposal. Conditions are requested in relation to the submission and agreement of a Noise Management Plan and a more detailed waste management strategy.

Homelessness Services – Confirm that the proposed development is supported.

Supported Housing Monitoring Group - Confirm that the proposed development is supported.

Greater Manchester Police – A robust management plan should be created to limit any issues and reduce conflict with local residents. Any alterations should be to 'Secured by Design' standards.

## **Policy**

### Local Development Framework

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

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

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications

in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

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

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

Policy H 10 (Housing for people with additional support needs) - Identifies a number of supported housing needs, including the needs of people experiencing issues with mental health and well-being. It also states that proposals for accommodation for people with additional needs will be supported where: i. There is not a high concentration of similar uses in the area already; ii. The development would contribute to the vitality and viability of the neighbourhood; iii. There would not be a disproportionate stress on local infrastructure, such as health facilities.

Policy T2 (Accessible areas of opportunity and need) - Policy T2 states that the Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport, connecting residents to jobs, centres, health, leisure, open space and educational opportunities. The policy also requires that appropriate car parking and cycle storage is provided.

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

In addition to the above, a number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy.

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

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC26 (Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In

particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

### National Planning Policy Framework

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

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

Sections 2, 3, 4, 5 and 8 are considered relevant to the consideration of this application.

### National Planning Policy Guidance (March 2014)

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

The relevant section of the NPPG in this case is as follows:

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

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

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

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

### Other material considerations

*Places for Everyone Plan* - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024.

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car. The universities and knowledge economy, with a high concentration on the Oxford Road Corridor is identified as an internationally important location and asset.

## **Issues**

### **Principle**

The proposed use would help to address immediate and significant housing needs that requires intervention in order to safeguard homeless individuals for short periods prior to appropriate re-housing. This process would, ultimately, improve individuals access to health care and employment and educational opportunities. In these circumstances, the general principle of the development is acceptable and compliant with aforementioned policy and guidance. Specific planning matters are considered further below.

### **Site Layout**

Internally, the proposed use at ground floor comprises 10 bedrooms, a staff office and communal kitchen/dining room to the ground floor and a further 10 bedrooms, laundry room, IT area and bathrooms to the first floor.



**Proposed site layout**

Externally, 3 off road car parking spaces are proposed, with a further 5 shared spaces should demand dictate. In addition, cycle storage and bins storage areas are proposed.

Given the constraints and size of the site and as the proposal relates to the change of use of an existing building, the proposal layout is considered satisfactory.

### Residential Amenity

With the exception of the neighbouring children's day nursery, the proposed development is situated in a predominantly residential area.

Given the location of the day nursery and the former operation of the host building as a probation centre, the immediate area is already subject to a degree of daytime activity and vehicular/pedestrian movements associated with these uses. Considering existing environmental conditions, it is not considered that there would be any significant impact in terms of noise and disturbance, as a consequence of the proposed use.

Account should also be taken of the fallback position, as re-occupation of the existing building could see the building legitimately operate for a variety of alternative commercial uses within Use Class E, including retail, offices, a health centre, restaurant, day nursery and many more. Options are also available via the prior approval procedure for conversion to residential. An alternative commercial use would most likely see a more intensive use with a subsequent increase in the levels of activity.

Notwithstanding this, the majority of representations received, raise concerns about the introduction of homeless people into the local area and consider problems could

arise from anti-social behaviour and interaction with the local community, including children associated with the neighbouring day nursery.

To ensure the building is appropriately managed and as referred to above, a Site Management Plan accompanies the application, which would be key to safeguarding the amenity and safety of nearby residents.

The Plan stipulates that the proposed use would provide a maximum of 20 bedspaces for single homeless people and this occupancy would not be exceeded.

The Plan details that the building would be staffed and managed 24 hours a day by the City Council, with a staff team of 10 Accommodation Support Workers (ASW), who would work on a 24/7 rota, as well as security personnel. There will be a no visitors policy in place for all clients. Access in and out of the building would be monitored by on site staff. This would ensure control over who is in the building at any time.

Residents would be allowed to stay out from their temporary accommodation two nights a week by agreement if they chose to visit friends/family. There would be a midnight curfew in place for the site, in line with the operation of all in-house temporary accommodation sites.

To the rear of the application site within the curtilage of the grounds, is a small garden area which would be made available for the use of residents. This would be the designated outdoor smoking space as smoking within the building will not be permitted at any time and would help prevent the use of any other external areas outside of the site curtilage for such purposes. This garden area is located away from neighbouring residential properties and is not visible from the main road and screened by fencing.

Referrals into the service would come direct from the Homelessness Service. No referrals would be taken from any other external agency. This ensures that the background details of each referral can be collected and recorded by the Homelessness Service to ensure suitability.

People placed into the accommodation would be booked in during office hours 9am - 5pm. When a suitable settled accommodation offer is sourced for a client, move-out would also be co-ordinated to take place also during these hours.

All clients accommodated at Brownley Road would be subject to a license agreement which they would sign, known as a Non-Secure Tenancy Agreement and is in line with the license agreement which is operated at all City Council in-house temporary accommodation.

There would be a set of house rules which a client must sign up to as part of the license agreement. The house rules include details about maintaining property cleanliness, positive personal conduct and behaviour, and being a respectful resident at all times within the local community and neighbourhood. Any behaviour which breaches the agreement, would result in the loss of the temporary accommodation.

offer to that client and a requirement to immediately vacate the property without notice.

The contact details for the Team Leader and Team Manager would be made available to local communities and resident group representatives should any queries or concerns need to be raised or answered. Performance information for the site would be shared with Local Members monthly. This is in line with the approach that the service takes at other sites in the city.

The management of the service would liaise regularly with Neighbourhood Services, GMP and ASBAT. Any issues that may arise from time to time in relation to the site would be promptly addressed through an effective and collaborative local approach with all key partners.

The proposed use would encompass a management system to enable the reporting of complaints and subsequent resolution.

It should be noted that service operator is an experienced provider of accommodation support to those who are unfortunate enough to experience the upheaval of homelessness within their lives. The service aims to ensure homelessness is experienced for as short a period as possible and is unrepeatable.

Conditions have been included to ensure compliance with the Management Plan, as well as limiting the occupancy of the building. It is believed that with these measures in place, any impact to neighbouring living conditions can be satisfactorily mitigated.

#### Visual Amenity

No external changes to the building are proposed as part of this application. It is anticipated however that as well as bringing the building back into effective use, the reoccupation of the building would help ensure the building is maintained and would enliven the street-scene. On this basis, it is not considered that there would be any harmful impact to visual amenity.

#### Impact to the Highway

In comparison to the former use of the building as a probation centre and given that the proposed use is to accommodate homeless people, with car ownership unlikely, it is not anticipated that the proposal would give rise to any material impact to the operation of the highway as a consequence of trip generation and parking demand.

Vehicular access to the site would remain as existing and as only 3 members of staff are envisaged to be on-site at any one time, the level of proposed parking provision is considered acceptable.

On-site parking is to be supplemented by cycle storage provision to cater for 6 bicycles which would aid travel by means other than by private care. Given the nature of the use proposed, the level of provision is considered satisfactory. A condition is included to ensure the cycle storage is in place prior to the use becoming operational.

### Crime and Security

Greater Manchester Police were consulted as part of the application process and consider that provided that the proposed use follows a robust management plan to limit any issues and reduce conflict with local residents, there is no objection.

A Management Plan has been submitted as part of the application to aid with any dispute/complaint resolution and details that the site would be staffed and managed 24/7 hours a day by City Council staff as well as security personnel. A condition has been included to ensure compliance with the Plan, as well as further condition which requires details of any on-site security enhancements to be agreed. With such measures in place, it is considered that any impact of the proposed use can be satisfactorily sustained.

### Waste Management

The application includes a waste management strategy which indicates waste storage areas to the sides of the host building.

Whilst the indicative location of the bins is considered acceptable from a collection perspective, Environmental Health require further details of the anticipated volume of waste, collection frequency for each waste stream and recycling arrangements. An appropriate condition is included to ensure satisfactory arrangements are in place, prior to the use becoming operational.

### Flood risk and drainage

The site is located in Flood Zone 1 and therefore has a low risk of flooding. The development is consistent with a residential use and therefore there is no requirement for any additional drainage mitigation.

### Climate Change

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

In this case, the site is situated within a highly sustainable location with decent access to a range of amenities and transport opportunities.

Given the former use of the building as a probation centre, the level of staffing would result a comparable level of vehicular movements and parking demand. The impact to local air quality is therefore considered negligible. As way of an improvement, conditions are included which require the provision of an electric vehicle charging point, as well as cycle storage provision, in order to offer a wide choice of means of travel.

### Other Matters



Concerns have been expressed by neighbouring occupiers that the proposed use would devalue their property.

It should be noted however that planning guidance maintains that it is not the role of the planning system to protect individual interests or private interests of one person against the activities of another, but is intended to balance public and private development needs with the protection of amenity and the environment in the wider public interest. On this basis, the impact to neighbouring property values is not a material planning consideration.

### Conclusion

The proposed use would make efficient use of a previously developed site to provide a much-needed facility for Manchester, whilst contributing to the local economy through the retention/creation of jobs and offering social improvements.

Reoccupation of the building for an active use would also guard against any potential decline to the host building.

It is believed that that the proposal would uplift the appearance of the site and any concerns regarding the negative impacts to neighbouring living conditions can be satisfactorily managed through the operation of a Management Plan. On this basis, the proposal is considered acceptable and compliant with the aforementioned planning policy and guidance.

### **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 based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

### **Condition(s) to be attached to decision**

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

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

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

Drawings referenced EPC -MCC-ZZ-XX-DR-B-0010 (Location Plan), MCC-B01-XX-DR-B-0020 (Proposed Ground Floor Plan), MCC-B01-XX-DR-B-0021 (Proposed First Floor Plan) and MCC-B01-XX-DR-B-0024 (External Works Site Plan), received by the City Council as Local Planning Authority on 6 December 2023 and MCC-B01-XX-DR-B-0024 (Proposed Parking) and In-Use Management Strategy, received by the City Council as Local Planning Authority on 11 January 2024.

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

3) Prior to first operation of the use hereby approved, details of measures to improve on-site security and to reduce the risk of crime shall be submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall include CCTV coverage and details relating to improvements that can be incorporated into the development to enhance security, as well as details of a 24-hour contact to be displayed clearly at the site. The use shall only be implemented in accordance with the agreed details.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

4) The use hereby approved shall only be implemented in accordance with the measures detailed within the submitted Management Statement and Addendum

received by the City Council as Local Planning Authority on 15 January 2024 and 29 January 2204 respectively. The Plan shall be adhered to at all times, so long as the agreed use is operational.

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

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday. No deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the living conditions of nearby residential occupiers, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

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

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

7) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as Local Planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the apartments are occupied.

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

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

8) Notwithstanding the details submitted of the bicycle storage area indicated on drawing referenced B01-XX-DR-B-0024 (Proposed Parking), received by the City Council as Local Planning Authority on 11 January 2024, full details of the cycle parking provision and cycle store/shelter, including security measures and means of enclosure, shall be submitted to and agreed in writing by the City Council as Local

Planning Authority prior to the use hereby approved becoming operational. The agreed scheme shall remain available for use so long as the use is in operation.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

9) Notwithstanding details submitted, prior to the first to the use hereby approved becoming operational, full details of an electric car charging point shall be submitted and agreed in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and shall remain available for use so long as the use is in operation.

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

10) The planning permission hereby granted relates to the use of the building as a 20 bed unit for the provision of short stay accommodation for single homeless persons (sui generis) only and for no other purpose.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

### **Local Government (Access to Information) Act 1985**

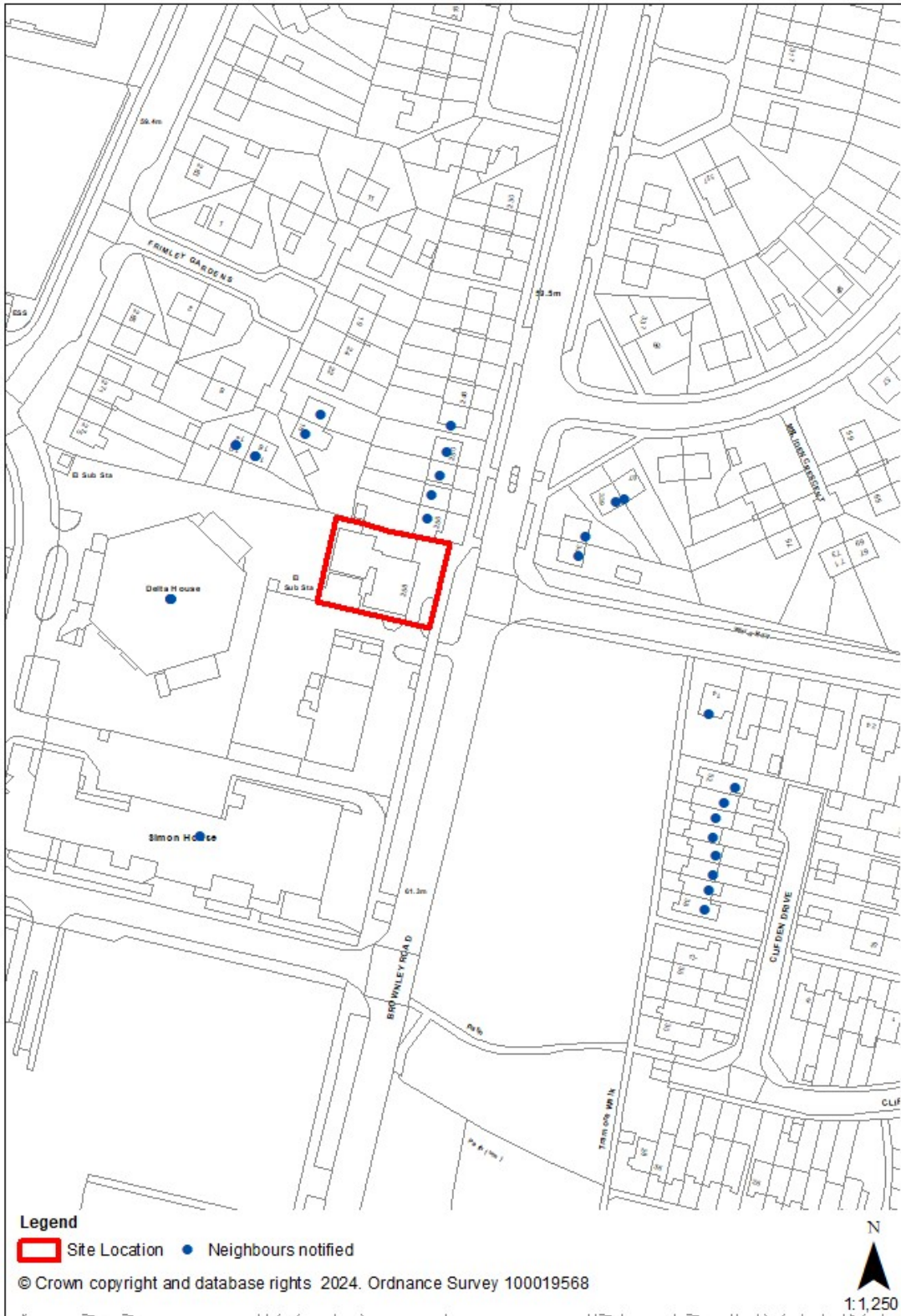
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 138768/VO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services  
 Environmental Health  
 Greater Manchester Police (Design for Security)

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

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



This page is intentionally left blank

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
138801/VO/2023	11th Dec 2023	14 <sup>th</sup> March 2024	Rusholme Ward

**Proposal** City Council Development - Change of use of former children's home to create 24 no. self-contained residential units for short stay homelessness accommodation (sui generis), together with ancillary office and administrative space, associated elevational alterations and roof works

**Location** 69 Dickenson Road, Manchester, M14 5AZ

**Applicant** Louise Stonall , Manchester City Council

**Agent** Andrew Unsworth, Manchester City Council

### **Executive Summary**

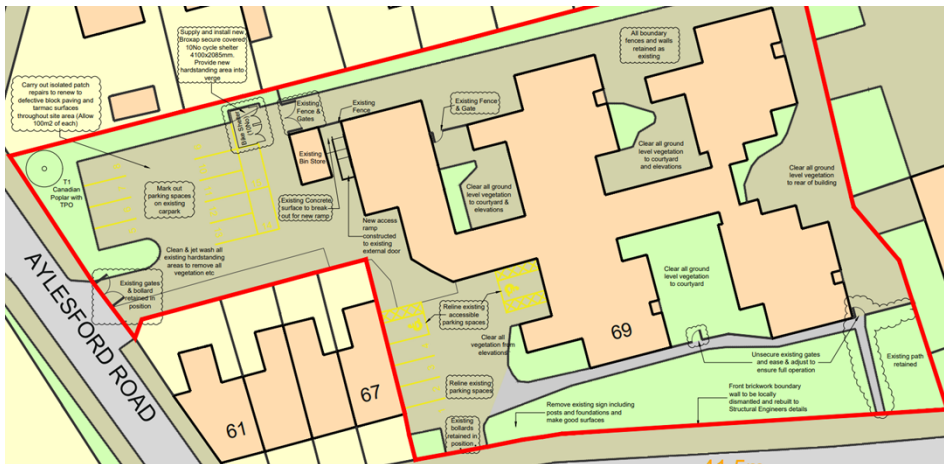
The application relates to the conversion of a vacant children's home and contact centre to 24 self-contained residential units for short stay homelessness accommodation (sui generis), together with ancillary office and administrative space, associated elevational alterations and roof works.

Objections have been received from 4 local residents. The main concerns raised relate to the proximity of the proposed use to a neighbouring hospital school and safeguarding issues; anti-social/criminal behaviour perceived to be generated by prospective residents; the impact to residential amenity of local residents, and the impact to the conservation area which lies 80m to the north of the site.

### **Description**

The application property is a vacant, part single, part two storey, detached building, formerly in use as a children's home and contact centre. The property has been vacant for around 5 years.

The host building, is bounded by areas of hard surfacing to the side and rear, with parking to the side of the building provided via an access from Dickenson Road.



### Dickenson Road frontage

With the exception of the application site, a neighbouring school to the east, and two properties at the junction of Dickenson Road and Birch Grove with commercial uses at ground level, the immediate area is predominantly residential in character, mainly comprising two-storey terraced and semi-detached dwellinghouses.

### Description of development

Planning permission is sought to change the use of the building from a former Children's Home and contact centre (Class C2) to create 24 self-contained residential units for short stay homelessness accommodation (sui generis), together with ancillary office and administrative space, associated elevational alterations and roof works.

Works include the refurbishment of the existing property and include the renewal of roof coverings with grey metal roofing tiles and the replacement of the existing window and door furniture, together with alterations to the elevations to respond to internal layout changes associated with the proposed accommodation. Any new brickwork would match the existing in terms of colouration.



The proposed use includes 15 on-site car parking spaces (including 2 disabled spaces). In addition, cycle storage is proposed to accommodate 10 bicycles.



The proposed development would comprise temporary accommodation for clients of the Homelessness Service who would be homeless at the point of their discharge from hospital. The site would be managed and operated by the Council's

Homelessness Accommodation & Support Service. This site will replace the service's temporary use of the former sheltered accommodation site at Elizabeth Yarwood Court, which is a plot forming part of a larger redevelopment project.

It is difficult to confirm a maximum period of occupation for a client of the service, due to consideration of individual client circumstances and the kind of settled accommodation people will be able to move on into.

A management plan has been submitted to support this application which provides a detailed set of criteria which would be put in place as part of the operation of the facility. This will be referred to within the Issues section of the report and covers the following issues:

- The site would provide self-contained accessible accommodation for 24 homeless single people on discharge from hospital treatment, both male and female clients with health and wellbeing support needs. Some clients, where it has been deemed necessary, would be in receipt of a health care package commissioned by the NHS/adult social care.
- The site would be staffed with Accommodation Support Workers from the Council's Homelessness In-house Temporary Accommodation Service and staffed 24 hours a day, every day. This would include 3 Accommodation Support Workers working on a 24/7 rota, and security staff, all managed by a Team Leader and 2 Homelessness lead officers.
- There is a no visitors policy in place for clients of this service other than by professionals/care providers working with a client. This is to ensure control of who exactly is present in the building and safeguards all. This is in line with all In House Temporary Accommodation sites operated by the Homelessness Service.
- Access in and out of the building will be monitored by on site staff. Residents will be allowed to stay out from their temporary accommodation two nights a week by agreement if they chose to visit friends/family. There will be a 12-midnight curfew in place for the site. This is in line with the operation of all In-house temporary accommodation sites.
- Referrals into the service will all come direct from the Homelessness Service Housing Solutions Hospital Discharge Team, with no referrals taken from any other external agency. This ensures that only suitable people will be housed. People placed into the accommodation will be booked in during office hours of 9am and 5pm. Move out will also be co-ordinated to take place during office hours.
- All occupiers will be subject to a license agreement which they will sign up to. There will be a set of house rules which the client signs up to and a condition of on-going accommodation. Any behaviour which is in breach means that the client will need to vacate the premises.
- The contact details for the Team Leader and Team Manager will be made available to local communities and resident group representatives should any queries or concerns need to be raised. The Team Leader will work with local community organisations and performance information for the site will be shared with local Members monthly. Management will liaise with neighbourhood Services, GMP and ASBAT contacts.
- The Management system will enable the reporting of complaints and resolution.

## Consultations

Local Residents/Occupiers –4 representations raising concerns in respect of the proposed development which can be summarised as follows:

- Concerns raised in relation to anti-social behaviour and management of residents who may have addiction or behavioural issues and this cannot be managed outside the premises. Danger to local residents.
- Car parking issues relating to staff and visitors.
- Proximity to a school with children with complex needs and potential impact on those children from safeguarding.
- Note problems of anti-social behaviour associated with other similar facilities.
- This area is already experiencing high levels of transience and problems with social cohesion due to students and HMOs and proposal will make this worse.
- Detrimental to character of Victoria Park Conservation Area
- Support expressed that the building will be put to good use subject to reassurance regarding impacts on immediate neighbours and management of the facility.

Ward Councillors- Councillor Rabnawaz Akbar states that he and colleagues are fully supportive of the proposal.

Highway Services – Have advised that in comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.

The site is well accessed by sustainable modes, with regular bus services along Dickenson Road and Wilmslow Road.

15 parking spaces and 2 spaces for disabled users available at the site and these will be retained, together with the vehicular access to the site from Aylesford Road.

Secure and sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycle which given the proposed use of the building should accommodate a minimum of 2 cycles.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. All gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

A refuse storage area is noted within the site. It is understood that the bin collection will be via a private contractor and the bins will be collected within the private boundary of the site. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

Environmental Health – Recommend conditions are attached to any approval, including acoustic insulation of the building; external plant and equipment; storage of refuse; together with the requirement for a scheme for electric vehicle charging.

Supported Needs Housing Group– Confirm that the proposed development fully supported.

Greater Manchester Police– Any comments received will be reported to the committee.

LLFA- The site is within Flood Zone 1 and low risk of surface water flooding. Based on the provided evidence, they do not recommend a drainage condition but suggest an informative is attached to any approval relating to the design of drainage systems.

## **Publicity**

The proposal has been advertised in the local press (Manchester Evening News), on 2nd January 2024 and site notices were displayed at locations around the application site on 18th January 2024 due to the quantum of accommodation proposed. In addition, notification letters have been sent to local residents and businesses (total of 116) in the local area on 21st December 2023.

## **Policy Legislative and Policy Context Places for Everyone**

### Places for Everyone Plan

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a Judicial Review is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a Judicial Review from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

### The National Planning Policy Framework

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 in July 2021, and subsequently in December 2023. It

represents key up to date national policy and is an important material consideration in determining the current application.

A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, there are three overarching objectives, which need to be pursued mutually. Firstly, the economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth. Secondly, the social role is required to support communities by creating a high-quality built environment with accessible local services to reflect the needs of the community. Lastly, the environmental role should protect and enhance the natural, built and historic environment. The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. Section 5 'Delivering a sufficient supply of new homes' states that in order to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. With regards to affordable housing, paragraph 66 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 96) which promote social interaction, be safe and accessible and enable and support healthy lifestyles.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 108). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 115). Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address

the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 116).

15 parking spaces (two for disabled users) and cycle storage facilities are proposed within the development which would be available for use by the staff and residents. The development would incorporate sustainable transportation options and chapter 9 would be positively responded to.

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 123). Decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places. (paragraph 128). Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. Paragraph 129 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

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

#### Local Development Framework

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

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in

Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

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

The following policies within the Core Strategy are considered relevant:

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

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

Policy H 10 (Housing for people with additional support needs) - Identifies a number of supported housing needs, including the needs of people experiencing issues with mental health and well-being. It also states that proposals for accommodation for people with additional needs will be supported where: i. There is not a high concentration of similar uses in the area already; ii. The development would contribute to the vitality and viability of the neighbourhood; iii. There would not be a disproportionate stress on local infrastructure, such as health facilities.

Policy T2 (Accessible areas of opportunity and need) - Policy T2 states that the Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport, connecting residents to jobs, centres, health, leisure, open space and educational opportunities. The policy also requires that appropriate car parking and cycle storage is provided.

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

In addition to the above, a number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy.

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

The below saved policies of the Unitary Development Plan are also considered relevant:

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

### National Planning Policy Guidance (March 2014)

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

The relevant section of the NPPG in this case is as follows:

*Noise* - Local planning authorities' should take account of the acoustic environment and in doing so consider:

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

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

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

## **Issues**

### Principle

The proposed use would help to address immediate and significant housing needs that requires intervention in order to safeguard homeless individuals for short periods prior to appropriate re-housing. This process would, ultimately, improve individuals access to health care and employment and educational opportunities. In these circumstances, the general principle of the development is acceptable and compliant with aforementioned policy and guidance. Specific planning matters are considered further below.



### Site Layout

Internally, the proposed use at ground floor comprises a secure entrance lobby with associated reception, office, and managers accommodation, staff meeting room, laundry and accessible toilet provision, together with 17 no.1 bed self-contained units (including an accessible residential unit), and a further 7 no.1 bed self-contained unit to the first floor.

Externally, 15 off road car parking spaces are proposed, with two further spaces for disabled users. In addition, cycle storage for 10 bicycles and bin storage areas are proposed.

Given the constraints and size of the site and as the proposal relates to the change of use of an existing building, the proposal layout is considered satisfactory.

### Residential Amenity

With the exception of the neighbouring school to the east, and two properties at the junction of Dickenson Road and Birch Grove with commercial uses at ground level, the immediate area is predominantly residential in character, mainly comprising two-storey terraced and semi-detached dwellinghouses.

In regard to concerns relating to overlooking of the adjacent school playground, works to the eastern elevation include the infilling of two window openings, the recreation of a window, and a doorway being replaced with a window at ground level. No changes are proposed to the window arrangements at first floor level, where 3 windows are present and lie 6.25m from the eastern boundary. As the boundary treatment between the school and this site comprises high concrete post and panel fencing, the proposed revisions at ground floor level would not give rise to loss of privacy or overlooking.

Given the location of the school and the former operation of the host building as a children's home and contact centre, the immediate area is already subject to a degree of daytime activity and vehicular/pedestrian movements associated with these uses. Considering existing environmental conditions, it is not considered that there would be any significant impact in terms of noise and disturbance, as a consequence of the proposed use.

The lawful use of the application building does not include any conditions which control numbers of children and associated carers that could live at the premises or any control over the management of the premises. Therefore, the activity associated with the existing use could potentially be more intense than the proposed use including associated comings and goings. It is not considered that the proposed use would have any more unduly harmful impact on the amenity of local residents than that existing use.

Notwithstanding this, the majority of representations received, raise concerns about the introduction of homeless people into the local area and consider problems could arise from anti-social behaviour and interaction with the local community, including children associated with the neighbouring school.

To ensure the building is appropriately managed and as referred to above, a Management Plan accompanies the application, which would be key to safeguarding the amenity and safety of nearby residents.

The Plan stipulates that the proposed use would provide self-contained accessible accommodation for 24 homeless single people on discharge from hospital treatment, both male and female clients with health and wellbeing support needs. Some clients, where it has been deemed necessary, would be in receipt of a health care package commissioned by the NHS/adult social care.

The site would be staffed with Accommodation Support Workers from the Council's Homelessness In-house Temporary Accommodation Service and staffed 24 hours a day, every day. This would include 3 Accommodation Support Workers working on a 24/7 rota, and security staff, all managed by a Team Leader and 2 Homelessness lead officers.

There is a no visitors policy in place for clients of this service other than by professionals/care providers working with a client. This is in line with all In House Temporary Accommodation sites operated by the Homelessness Service. Access in and out of the building will be monitored by on site staff. This would ensure control over who is in the building at any time.

Residents would be allowed to stay out from their temporary accommodation two nights a week by agreement if they chose to visit friends/family. There would be a midnight curfew in place for the site, in line with the operation of all in-house temporary accommodation sites.

Referrals into the service would come direct from the Homelessness Service Housing Solutions Hospital Discharge Team, with no referrals taken from any other external agency. This ensures that the background details of each referral can be collected and recorded by the Homelessness Service to ensure suitability.

People placed into the accommodation will be booked in during office hours of 9am and 5pm, and move out will also be co-ordinated to take place during office hours.

All clients accommodated at Dickenson Road would be subject to a license agreement which they would sign up to, and is in line with the license agreement which is operated at all City Council in-house temporary accommodation.

There would be a set of house rules which a client must sign up to as part of the license agreement. Any behaviour which is in breach means that the client will need to vacate the premises.

The contact details for the Team Leader and Team Manager would be made available to local communities and resident group representatives should any queries or concerns need to be raised. The Team Leader will work with local community organisations and performance information for the site will be shared with local Members monthly. This is in line with the approach that the service takes at other sites in the city.

The management of the service will liaise with neighbourhood Services, GMP and ASBAT contacts. The service representatives would also be happy to regularly attend local community association meetings.

The management system will enable the reporting of complaints and resolution.

The management of the service would liaise regularly with Neighbourhood Services, GMP and ASBAT. Any issues that may arise from time to time in relation to the site would be promptly addressed through an effective and collaborative local approach with all key partners. Manager contact details and site contact details would also be made available to the community association representative.

The proposed use would encompass a management system to enable the reporting of complaints and subsequent resolution.

It should be noted that service operator is an experienced provider of accommodation support to those who are unfortunate enough to experience the upheaval of homelessness within their lives. The service aims to ensure homelessness is experienced for as short a period as possible and is unrepeatable.

Conditions have been included to ensure compliance with the Management Plan, as well as limiting the occupancy of the building. It is believed that with these measures in place, any impact to neighbouring living conditions can be satisfactorily mitigated.

#### Visual Amenity

As part of the development, elevational alterations including the infilling of some window openings, and creation of new door and window openings are proposed.

It is anticipated that as well as bringing the building back into effective use, the reoccupation of the building would help ensure the building is maintained and would enliven the street-scene. On this basis, it is not considered that there would be any harmful impact to visual amenity.

#### Heritage Impacts

This property lies 80m to the south of the Victoria Park Conservation Area and is separated from the Conservation Area by residential development. It is therefore considered that given the proposed elevational alterations are minor in nature and would not be in direct line of site with the Conservation Area, there would not be any harm to the character of the Conservation Area. Similarly, it is not considered that the proposed use would have any harmful impacts on the character of the Conservation area.

#### Highway Considerations

In comparison to the former use of the building as a children's home and contact centre and given that the proposed use is to accommodate homeless people, with car ownership unlikely, it is not anticipated that the proposal would give rise to any

material impact to the operation of the highway as a consequence of trip generation and parking demand.

Vehicular access to the site would remain as existing and a limited number of staff are envisaged to be on-site at any one time. The level of proposed parking provision is considered acceptable.

On-site parking is to be supplemented by cycle storage provision to cater for 10 bicycles which would aid travel by means other than by private care. Given the nature of the use proposed, the level of provision is considered satisfactory. A condition is included to ensure the cycle storage is in place prior to the use becoming operational.

### Crime and Security

The property has been subject to vandalism, anti-social behaviour and intruders. The proposed development would bring the property back into use, and the main entrance has been designed to incorporate an intercom to manage access to the building.

A Management Plan has been submitted as part of the application to aid with any dispute/complaint resolution and details that the site would be staffed and managed 24/7 hours a day by City Council staff as well as security personnel. A condition has been included to ensure compliance with the Plan, as well as further condition which requires details of any on-site security enhancements to be agreed. With such measures in place, it is considered that any impact of the proposed use can be satisfactorily sustained.

### Waste Management

The application includes a waste management strategy which would involve the use of an existing bin store which has capacity for 5no. 1,100 litres bins to the north west of the host building.

Whilst the indicative location of the bins is considered acceptable from a collection perspective, Environmental Health require further details of the anticipated volume of waste, collection frequency for each waste stream and recycling arrangements. An appropriate condition is included to ensure satisfactory arrangements are in place, prior to the use becoming operational.

### Flood risk and drainage

The site is located in Flood Zone 1 and therefore has a low risk of flooding. The development is consistent with a residential use and therefore there is no requirement for any additional drainage mitigation.

### Climate Change

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

In this case, the site is situated within a highly sustainable location with access to a range of amenities and transport opportunities.

Given the former use of the building as a children's home and contact centre, the level of staffing would result a comparable or lower level of vehicular movements and parking demand. The impact to local air quality is therefore considered negligible. As way of an improvement, conditions are included which require the provision of an electric vehicle charging point, as well as cycle storage provision, in order to offer a wide choice of means of travel.

### Disabled Access

There is an existing level access approach to the main entrance from the car park and from the footpath on Dickenson Road. The width of some existing internal circulation routes is governed by the constraints of the existing building. New internal door widths would have suitable opening sizes for disabled access and the supporting documentation suggests that all colour schemes would be chosen taking account of the potential for occupiers with visually impairments.

Accessible toilet provision would be available within the entrance lobby area.

An accessible apartment is proposed at ground floor level in close proximity to the maintenance to the property. This apartment has a direct ramped access into the unit from the western elevation with a width of 1200mm and a gradient of 1:15, but it is advised that this intended for uses as a fire escape only.

### Boundary treatment

The eastern boundary treatment comprises a high concrete post and panel fence with a taller weldmesh fence running parallel on the school side of the boundary , there is a high black railing fence to Aylesford Road , and a combination of a high brick wall, timber fencing and high concrete post and wanelap panel fencing to the northern boundary which are to be retained . A low wall forms the existing boundary treatment to the back of pavement on Dickenson Road, which is proposed to be repaired/rebuilt.

### Trees

There are mature trees set in proximity to the boundary treatment to the back of pavement on Dickenson Road, and also a Canadian Poplar tree which is the subject of a Tree Preservation Order located to the perimeter of the car park on Aylesford Road. These would be retained. As the extent of any the repair works to the front boundary works have not been finalised, it is proposed that a condition is attached to any approval to require the protection of the existing mature trees on the Dickenson Road frontage during any repairs /rebuilding of the wall.

Furthermore, there are currently a small group of 3no. silver birch trees set in a small grassed area between the wings of the building facing Dickenson Road. As no finalised designs of this area have been provided for consideration, it is therefore proposed that a condition is attached to any approval to be required so that before any works are undertaken to this area, a detailed soft landscaping scheme for this courtyard is submitted to and approved, and that the scheme is implemented within 6 months of the property being first occupied.

### Conclusion

The proposed use would make efficient use of a previously developed site to provide a much-needed facility for Manchester, whilst contributing to the local economy through the retention/creation of jobs and offering social improvements.

Reoccupation of the building for an active use would also guard against any potential decline to the host building.

It is believed that that the proposal would uplift the appearance of the site and any concerns regarding the negative impacts to neighbouring living conditions can be satisfactorily managed through the operation of a Management Plan. On this basis, the proposal is considered acceptable and compliant with the aforementioned planning policy and guidance.

### **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 based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Site location plan ref:69D-MCC-XX-XX-DR-A-0001-S0

Proposed ground floor plan ref: 69D-MCC-B01-GF-DR-B-0011-S4A

Proposed first floor plan ref: 69D-MCC-B01-01-DR-B-0011-S4

Proposed roof plan ref: 69D-MCC-B01-R1-DR-B-0011-S4

Proposed Main Building Elevations A&B plan ref: 69D-MCC-B01-ZZ-DR-B-0030-S4

Proposed Garage Elevations plan ref: 69D-MCC-B02-ZZ-DR-0030-S4

Proposed Main Building Elevations B1-B4 plan ref: 69D-MCC-B01-ZZ-DR-B-0032-S4

Proposed Main Building Elevations B5-B8 plan ref: 69D-MCC-B01-ZZ-DR-B-0033-S4

Proposed Main Building Elevations C1-C2 plan ref: 69D-MCC-B01-ZZ-DR-B-0034-S4

Proposed Main Building Elevations D1-D2 plan ref: 69D-MCC-B01-ZZ-DR-B-0035-S4

Existing Drainage Remedial Strategy plan ref: 231414-PEV-XX-XX-DR-C-0500 rev. P02

Proposed Drainage Strategy plan ref: 231414-PEV-XX-XX-DR-C-0501 rev. P02

In -use Management Strategy

Waste Management Strategy

Received 11<sup>th</sup> December 2023

Proposed site plan ref: 69D-MCC-B01-GF-DR-B-0015-S4B

Proposed Garage Elevations plan ref: 69D-MCC-B02-ZZ-DR-0030-S4 A

Proposed Main Building Elevations C&D plan ref 69D-MCC-B01-ZZ-DR-B-0031-S4 A

Design and Access Statement dated 11<sup>th</sup> January 2024

Received 11<sup>th</sup> January 2024

Dickenson Road Management Strategy for Planning 2024 received 20<sup>th</sup> February 2024

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

3) Notwithstanding the materials annotated on plans referenced in condition no.2 prior to above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

4) The car parking indicated on the approved Proposed site plan ref: 69D-MCC-B01-GF-DR-B-0015-S4B, shall be surfaced, demarcated and made available for use prior to the flats), hereby approved being occupied. The car parking shall then be available at all times whilst the flats are occupied.

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

5) a) The cycle storage facility shall be located as shown on the approved Proposed site plan ref: 69D-MCC-B01-GF-DR-B-0015-S4B.

b) Prior to occupation of the development, full details of the cycle parking provision and cycle store/shelter, including security measures and means of enclosure, shall be submitted to and approved in writing by the City Council as local planning authority.

The cycle store shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation being brought into use, and be retained thereafter.

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

6) Notwithstanding details submitted, prior to the first to the use hereby approved becoming operational, full details of an electric car charging point shall be submitted and agreed in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and shall remain available for use so long as the use is in operation.



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

7 a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Dickenson Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied. Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

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

8) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as Local Planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the apartments are occupied.

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

Reason -To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, and safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Reason - In the interests of public health and residential amenity, pursuant to policies EN19, DM1 and SP1 of the Manchester Core Strategy (2012).

10) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday. No deliveries/waste collections on Sundays/Bank Holidays.

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

11) Prior to first operation of the use hereby approved, details of measures to improve on-site security and to reduce the risk of crime shall be submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall include CCTV coverage and details relating to improvements that can be incorporated into the development to enhance security, as well as details of a 24-hour contact to be displayed clearly at the site. The use shall only be implemented in accordance with the agreed details.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

12) The use hereby approved shall only be implemented in accordance with the measures detailed within the submitted Dickenson Road Management Strategy for Planning 2024 received 20<sup>th</sup> February 2024, and the In-use Management Strategy received 11<sup>th</sup> December 2023.

The Dickenson Road Management Strategy for Planning 2024, and the In-use Management Strategy shall be adhered to at all times, so long as the agreed use is operational.

Reason - In the interests of public safety and to safeguard residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012) .

13) The planning permission hereby granted relates to the use of the building as 24 no. self-contained residential units for short stay homelessness accommodation (sui generis), only and for no other purpose.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

14) a) Notwithstanding the annotation relating to the clearance of ground level vegetation to the courtyard between the southern wings of the building facing Dickenson Road shown on Proposed site plan ref: 69D-MCC-B01-GF-DR-B-0015-

S4B, prior to any works being undertaken to this courtyard area, details of a landscaping scheme (including tree retention or 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 date the building is first occupied.

b) If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

15) Prior to the undertaking of any repair or rebuilding works to the boundary wall, details of the type and height, and location of protective fencing for the protection of the existing mature trees in proximity to the boundary wall shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details. 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 to avoid damage to trees adjacent to the front boundary wall within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

### **Informative**

1. Construction works shall be confined to the following hours:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

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

3. The applicant should design and construct drainage system 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 EN14 & EN17 of the Manchester Core Strategy.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 138801/VO/2023 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.

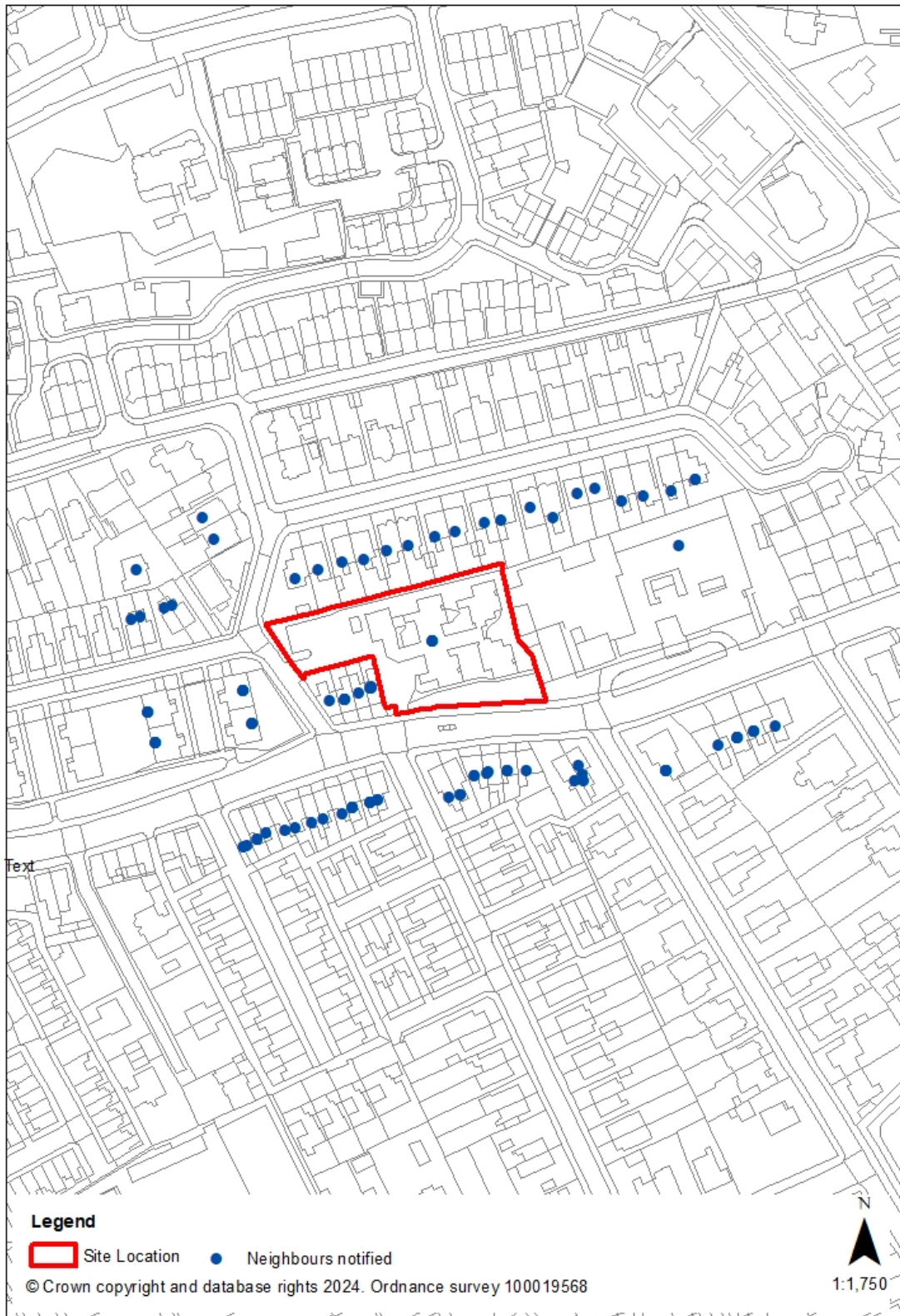
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services  
Environmental Health  
MCC Flood Risk Management  
Greater Manchester Police  
Rusholme, Fallowfield & Moss Side Civic Society**

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

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

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



This page is intentionally left blank

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
138808/FO/2023	18 Dec 2023	14 Mar 2024	Deansgate Ward

**Proposal** Erection of 15-storeys plus plant level building to provide purpose-built student accommodation (PBSA - Sui Generis)) along with site preparation works, works over the public highway and other associated works.

**Location** Car Park At Junction Of Charles Street And York Street, Manchester

**Applicant** Mr Mike Bathurst, Jadebricks (Charles Street) Limited

**Agent** Miss Rebecca Boston, Turley

## EXECUTIVE SUMMARY

The application proposes a 15 storey PBSA building. 16 objections have been received including 2 from local businesses who adjoin the site.

**Principle and the schemes contribution to regeneration:** The development is in accordance with national and local planning policies, and would bring significant economic, social and environmental benefits. It would develop a vacant, brownfield site which has a negative impact on visual amenity. PBSA would be consistent with policy H12 of the Core Strategy and would increase the supply of student accommodation in the City. 20% would be affordable available on a discounted rent.

**Economic Benefits:** The development would add £4.9 million GVA to the Manchester Economy and would create temporary and full time equivalent jobs. Local labour Proposal would ensure local people benefit.

**Social Benefits:** This proposal would redevelop a vacant, low quality brownfield site close to the Oxford Road Corridor. 107 bedspaces (including 6 accessible rooms) would support the student accommodation pipeline of which 20% would be affordable.

**Environmental Benefits:** This is a highly accessible area where walking and cycling would be encouraged. Sedum roofs and bird and bat boxes would improve biodiversity. The building would run on all electric systems which would reduce carbon emissions as the grid decarbonises. Sustainable drainage would manage surface water. The design would improve the appearance of Charles Street.

**Impact on the historic environment:** There would be no harm to the setting of heritage assets.

**Impact on Local Residents and Businesses:** There would be impacts on daylight/sunlight and overlooking. Construction impacts could be managed to minimise the effects on residents and local businesses. Noise outbreak from plant would meet relevant standards. There would be some disruption to local businesses as a result of the development, however this would not be unusual in a City Centre

context and this is an area where change is expected, and proposals of a similar scale have been approved within the immediate area. The applicant has set out a number of measures that they will implement to ensure that any construction impacts including means of access to the MOT Garage and continued operation of the Nursery would be maintained.

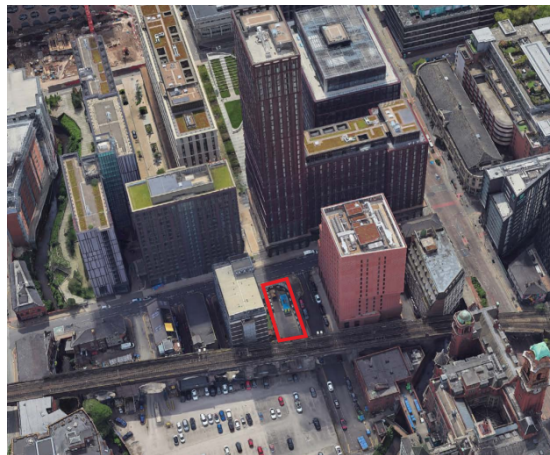
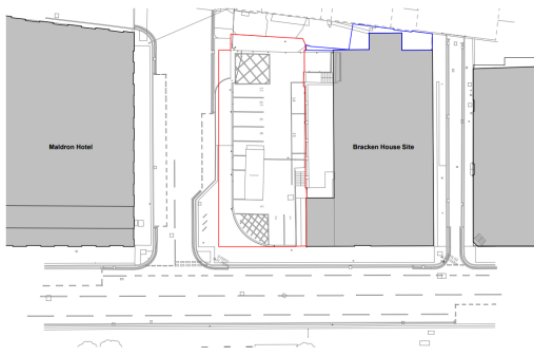
A full report is attached below for Members consideration.

**Description of site/building**

This 0.041 ha site is bounded by Charles Street, the Manchester South Junction and Altrincham Railway Viaduct, Bracken House and York Street. It was cleared in the 1960 and has been used as a 15 space car park. It is currently used as a compound for works at Bracken House.

There is a nursery in Bracken House that has an external play area between the building and this site. This is used regularly throughout the day. Currently the main entrance to the nursery is via a ramp from Charles Street which sits within the application site. There is an alternative access via stairs also from Charles Street which is shared with the residential accommodation. The upper floors are homes.

There is an MOT garage in the viaduct arches. A 17 storey hotel is on the opposite side of York St. Circle Square contains offices, homes and PBSA and active uses. To the north is a large car park and the River Medlock.



**Site Location Plan**  
(ramped access to Nursery within application site)

**Image of site**





**Views of site from Charles Street**

There are a number of Strategic Regeneration Frameworks (SRF's) areas nearby where significant regeneration has and continues to take place, including Circle Square, ID Manchester, First Street and Mayfield. The site is close to the Universities and a range of amenities including bars and restaurants, shops and offices. The closest homes are in Bracken House, opposite in Circle Sq and at Oxford Place at the junction of Charles Street and Oxford Road. Some homes in Bracken House and Vita Living on Circle Square have views onto the site. India House, Asia House and Lancaster House have views onto the site across a car park.

Bracken House is 9 storeys but more recent developments on Charles Street and at Circle Square range from 14 to 38 storeys.

The site is not in a conservation area but is part of a city block which includes Victorian and Edwardian buildings which are part of the Whitworth Street Conservation Area. These include Grade II\* listed buildings, such as The Kimpton Hotel, India House, Lancaster House and Asia House. The grade II listed Lass 'O' Gowrie is on Charles Street. The site is in Flood Zone 3 and falls from south to north, with a 1 m level difference and is in a Critical Drainage Area.

All forms of public transport are nearby with Metrolink at St Peters Square, Oxford Road and Piccadilly Stations and regular bus routes on Oxford Road, Princess Street and Whitworth Street. Oxford Road is part of the Bee Network of cycle routes. The site is close to the UoM and MMU campuses and a wide range of services and facilities.

**Description of Development**

Permission is sought for 107 PBSA studios in a 15 storey building, including amenity areas and a 71 sqm walled garden on Charles St. There would be 83 studios at 18.1 sqm, 18 at between 19.3 and 25.5 sqm and 6 accessible (5%) rooms. 20 % of rooms (21) would be offered at a discounted rent, secured through a S106 agreement. The overall height would be 49m.



Typical Studio unit layouts



Proposed Ground floor Plan and potential location for tree planting.

The lobby would be accessed via the walled garden with lifts to a first floor reception. The ground floor also includes 28 cycle spaces, refuse storage and plant space. As part of the flood risk mitigation included within the development the reception is on the first floor. The first floor includes amenity areas, plant, staff welfare, management spaces and a room dedicated to wellbeing and pastoral care. A large flexible amenity space would be provided on the second floor.

The position of the current entrance to the Nursery would be retained and enhanced as part of the development. It would include a secure front door and an enclosed approach from Charles Street. During construction the nursery would have to use a stepped entrance off Charles Street which was previously used prior to the ramped access being installed, unless an alternative ramp can be provided. This route would also be used for means of escape. The new ramped entrance would be DDA compliant and a managed space which would double up as a fire escape for the nursery and the PBSA. The escape doors into the corridor would be alarmed and monitored by CCTV and lighting levels would also be improved. A level change would be addressed in the winter garden with an accessible ramp and 3 steps.

Two on street parking spaces would be replaced by a loading bay and an accessible parking space would be provided. Taxis drop off and pick up and ad-hoc deliveries by car or van would use the loading bay. Sheffield stands located near the entrance provide an option for visitors and ad-hoc deliveries via bike including take-aways.

Access to the bin store would be through the lobby. External access to the refuse stores would be managed. Waste would be initially stored in each studio.

It may be possible to provide a street tree on York Street subject to further investigations. There would be a blue roof at level 09 and green sedum roofs at level 9 and on the roof.

The building would step back from 9th floor on Charles Street and would cantilever out, oversailing the footway to York Street. This would allow the building to be stepped back from the boundary with Bracken House. Inset elements at roof level would accommodate the lift overrun and plant. The base would be heavily carved. The elevation to Bracken House would be set back by 6m from that building, similar to the width of Makin Street on the other side of Bracken House.



#### Distances to other buildings and areas required to be safeguarded

The core would be on the eastern edge with the studios having views to the west and south. The facade would be a contemporary interpretation of former mill buildings, with repetitive and careful detailing. The building would have a tripartite sub-division and a regular elevational form.

The elevation to Charles Street would comprise glazing set within terracotta panels and cladding with green tones with detailing and textural variation. The façade includes light bronze anodised perforated panels for ventilation, window frames and coping.

The elevations to the north and Bracken House would be more functional with a grid of light buff glazed brick and detailing but no windows. This would prevent direct overlooking into Bracken House and overlooking or safeguarding issues at the nursery play space. The east facing elevation would incorporate an area for a tiled mural, the final design of which would be developed in consultation with neighbours, particularly the Nursery's external space.



### First and Second floor levels

The proposal includes a 5m exclusion zone from railway infrastructure to safeguard the operation of the railway, for construction, access and maintenance.

The design reflects the site's location in Flood Zone 3 which requires flood water to enter and exit the ground floor.

The applicant is seeking an established and experienced PBSA operator. There would be a 24-hour on-site staff presence and the operator would be responsible for the day-to-day management of the accommodation and would put management and safeguarding procedures in place such as a Student Management Strategy (SMP) and Waste Management Strategy.

The Student Management Strategy would address: staffing arrangements and their areas of responsibility including on-site staff; times that the reception desk would be staffed and out of hours contact information; tenancy management, agreements and handbook / resident information; management of post and deliveries; wellbeing and pastoral care; security and complaints procedure; and Health and Safety

The development is expected to achieve a Breeam Excellent rating.

The build period would be approximately 2 years commencing Q2 2024 should permission be granted.

In support of the application the applicant states:

- The 107 PBSA bedspaces would be in a highly sustainable location, close to UoM and MMU campuses and within the ORC.
- The scheme would meet a pressing need for PBSA and the role it plays in ensuring the city's higher education establishments can continue to attract the very best talent from within the UK and around the world furthering the economic success and social diversity of the city.

- There is a clear and pressing need for PBSA and this proposal would satisfy the requirements of Core Strategy H12 in providing: • Being in close proximity to the city's universities and high frequency public transport routes; • An appropriate density of development with sufficient infrastructure and amenities within the locality; • A positive regeneration impact through a range of direct and indirect social and economic benefits; • A design which preserves designated heritage assets, and also responds to prevailing character whilst avoiding unacceptable effects on the amenity of neighbouring residents; and • Certainty regarding deliverability.
- This is an optimal location for a PBSA, close to the universities and where it can make a tangible contribution to the success of the Corridor as a focus for the knowledge economy and as a vibrant, diverse and culturally rich place which reflects the confidence and energy of the city. This requires density to increase the residential population of the Corridor.
- The proposed constitutes approximately £350,000 in terms of investment value and is expected to contribute £200,000 in GVA each year during its operational life in addition to some £350,000 in student expenditure on local retail and leisure offer.
- The students would boost the local retail and leisure economy and contribute to the vibrancy of the Oxford Road Corridor. The increase in PBSA bedspaces would alleviate pressure on traditional housing stock, freeing up properties currently occupied by students for families and first-time buyers.

This planning application has been supported by the following information:

Application forms and certificates and plans; Design and Access Statement; Planning and Tall Buildings Statement including Green and Blue Infrastructure Statement; Statement of Community Consultation; Heritage Statement; Noise Assessment Report; Archaeological Report; Construction Noise and Vibration Assessment; Energy and Sustainability Statement; BREEAM Assessment; Ecological Survey; Phase 1 and 2 Geo-environmental Assessment; Flood Risk / Drainage Strategy; Transport Statement; Interim Travel Plan; Fire Statement, Crime Impact Statement; TV Reception Survey; Broadband Connectivity Assessment; Outline Student Management Plan; Local Labour Agreement; Neighbour Interface Statement; Logistics Strategy; Town and Visual Impact Appraisal; Train Induced Vibration Assessment; PBSA needs assessment; Wind microclimate assessment report; Whole life carbon assessment & circular economy statement; Ventilation design strategy; Dust management plan; Construction environmental management plan; Socio-economic regeneration impact statement and Environmental Statement including Chapters on Air Quality and Daylight, Sunlight and Overshadowing.

## Consultations

**Publicity** – The occupiers of adjacent premises have been notified and the proposal have been advertised in the local press as a major development, accompanied by an Environmental Assessment, affecting the setting of a listed building, as affecting the

setting of a conservation area and as affecting a public right of way. Site notices have also been placed adjacent to the application site.

16 Letters of objection have been received on the following grounds:

#### Impacts on Operation of the Nursery.

- Toddlers have an outside playing area facing the site how will they be protected from dust and noise during construction?
- It will block most of the Nursery's daylight.
- This is one of the few such facilities in the City Centre and the impacts from development could cause them to close.
- The development would be horrendous for safety issues and with noise and disruption with dust and construction mess.
- How close the works and planned building is to the nursery is just a huge hazard and risk to our children's play, education and care.
- Construction will impact my child's development and he is so scared of loud noises due to the construction of the Maldron hotel and this plan is touching the nursery how is this not going to impact on the nursery with the ground works and drilling.
- It is hard to find a childcare place in Manchester at the moment with them all being full. And this will be a struggle to parents if this building is built and also a struggle for the nursery business wise which would be a shame as my child really enjoys coming to paintpots Manchester.
- In the past nursery had problems with students living in Bracken House with rubbish cigarette butts overflowing bins and drunks and I feel that if this student accommodation goes ahead the children and residents will be in danger with similar things reoccurring from this building also.
- We have listened to the Nurseries assurance that the Building works on Bracken House were progressing and soon will be finished, however, now we have been informed that there are potentially another 2 years of works about to commence.
- We are not prepared to leave our children in such an environment and now I have reviewed the plans I am astonished that they are even being considered - a 15 storey Building on a postage stamp. The Nursery have explained that they probably will close and as a parent and local worker I am shocked. This development is totally inappropriate for this site and the way in which it will clearly affect local jobs and infrastructure. Without childcare, we could not work in the City Centre, period.

#### Sunlight and Daylight Impacts

- These tall building are obstructing light into our flats and obstructing our view of the skyline.
- I feel it is beneficial that a child should get sunlight during the day and this building would block all sunlight as the playground is already dull since the hotel was built.

- Gradually all the light we used to enjoy is removed. This one is not particularly high compared to the monstrosity to the south but it wipes out another bit of the horizon.

### Visual Impacts

- When we look out our window now all we can see is unsightly buildings

### Impacts on Adjacent Businesses

1. The MOT Garage under the railway arches and associated parking and servicing serves local residents and people working in the City Centre and has 6 employees.

There are significant concerns about the short-term implications of construction of the building upon the operation of this business and significant concerns about the long-term implications if permission is granted. The short term impacts could force the business to close and the MOT garage could be unworkable. The main reasons for this are set out below:

- Wind and sun - negative impact upon the MOT Garage

The submitted Wind Microclimate assessment has not specifically assessed the impact upon his business and there are concerns that existing incidences of strong wind, which started occurring when the Maldron Hotel was built, will cause severe wind events which would have a detrimental impact upon staff and customers – and causing damage to the business.

In addition, there are concerns that the proposed building, to the south of the business, will block all sunlight and significantly harm daylight.

- Engagement with Local Businesses

The Neighbour Interface Statement at 1.11 states: “The applicant has carried out a range of consultation exercises prior to submission of the application with the following: Local businesses, including extensive one-to-one engagement with Paintpots Nursery, the Maldron Hotel and the owner of the existing MOT garage to the rear;” The applicant approached the owner of the MOT garage one week before the submission of the application. As such there was not really any effort made to engage with the garage and to discuss the potential significant detrimental impacts upon the business.

The only reference to the MOT garage in the Statement of Community Involvement is at 4.8 which discusses a meeting about impacts of the scheme. The owner of the MOT garage was not party to that meeting. Para 4.8 states these discussed included “the impact on the nearby garage” and that “The applicant addresses all of these matters in Chapter 6 of this document”. Chapter 6 of that document makes no reference to the MOT garage. There is concern that the short- and long-term operation of this long-established

business has not been given sufficient thought and without engagement with the owner or his employees.

- Noise and Vibration negative impact upon the MOT Garage

The “CONSTRUCTION NOISE & VIBRATION ASSESSMENT” does not mention the MOT garage at all; this document includes mitigation of the impacts of construction noise and vibration. Piling is proposed to be used to construct the building. There is no mention of the impact upon the working conditions of staff and of customers at the MOT garage. It should be noted that 95% of the working week the doors to the MOT garage are kept open and there are fears that the impact of construction noise upon staff will result in them feeling like they are working inside a jet engine. The significant impacts of noise upon staff and customers could mean his business has to close.

- Noise from the MOT Garage impacting future residents - negative impact upon the MOT Garage

The “Environmental Noise Survey and Noise Impact Assessment Report” states (page 12) in relation to the impact of noise from the MOT garage on future occupiers of the student accommodation

*“The above indicates a likelihood of a significant adverse impact to proposed residents without noise mitigation measures, however, the context of the site must be considered to enable a full assessment. Where the initial estimate of the impact needs to be modified due to the context, BS 4142:2014 states that all pertinent factors should be taken into consideration, including the following:  
- The sensitivity of the receptor and whether dwellings will already incorporate design measures that secure good internal acoustic conditions.”* “Clearly, therefore, an

initial estimate of a significant adverse impact does not imply development may not be permitted, provided that proposed development can incorporate design measures (i.e. embedded mitigation) that secure good internal acoustic conditions. In light of the above, we recommend that appropriate mitigation measures are incorporated into the design of proposed development to control noise from the proposed facilities to a suitable level internally to future residential demise.”

For 95% of the working week the doors to the garage are kept open. It appears to be a significant issue of noise impact from the MOT garage to future student residents in the development. This is highly likely to lead to noise complaints against the MOT business which could result in noise abatement action via the EPA and could alone lead to the forced closure of the business.

- Highways – negative impact upon the MOT Garage

Paragraph 7.4.7 of the Curtins Transport Statement explains the servicing and vehicle movements of the development has been assessed: *“Drawing 084709-CUR-XX-00-D-TP-06001 shows the location of the proposed waste*



store, location of the collection point and loading bay, with Drawing 084709-CUR-XX-00-D-TP-05001 showing the swept path analysis of an 8.4m and 9.0m refuse vehicle.”

Drawing 084709-CUR-XX-00-D-TP-05001 includes window 4 which shows vehicle Egress tracking for a 9 metre refuse truck/wagon. Annotation states: “*Vehicle reverses toward MOT test centre to complete turning manoeuvre*”. The tracking shows the vehicle would have to reverse across the entrance to the MOT garage and across the pavement underneath the railway arches.

The blocking of the access to the garage would impact on business operation and there are concerns about pedestrian safety when the bin wagon crosses the pavement.

- Construction Environmental Management Plan - negative impact upon the MOT Garage

There are significant concerns that the site accommodation and welfare, which is suggested by the application to be within the Europarks car parks has not been agreed and will not be an option for the development. In paragraph 3.5 of the submitted Construction Environmental Management Plan it is stated: “*Site Accommodation and Welfare The proposal for the main site accommodation and welfare is shown within the logistic plan off of York Street within the Europarks car park, the Developer has had initial discussions with the car park operator to facilitate this.*” This document does not advise that agreement has been made merely there had been some initial discussions. If such an agreement has not been made whether the application is deliverable – as required by criteria 10 of policy H12.

The “Construction Environmental Management Plan” does not mention the MOT Garage at all. It mentions other receptors as residential uses and the Nursery but not the garage. This document is submitted to demonstrate and explain mitigation of the any impacts of construction. The needs of the MOT garage have not been considered.

- Impact of loss of employment at the MOT garage

The “Socio-economic Regeneration Impact Statement” looks at the positive impacts of job creation. This document does not list the likely jobs lost at the MOT.

- Loss of Visibility of MOT Garage

The MOT garage has been visible from Charles Street for 30 years. The proposed development will block views of the business and as a result there will be a loss of passing trade.

- Application Contrary to MCC Policies including H12

Policy H12 of the Core Strategy states: “*Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses.*”

The proposed development will have significant impacts upon the MOT garage both during construction and in the long term such that there are genuine fears that this business will not survive because of the development proposed.

2. Paint Pots Day Nursery is an 81 place childcare based in Bracken House. Bracken House shares a boundary with this site. The nursery has operated for 28 years and provides essential childcare to many parents who work in the city centre or are studying in Manchester. The grounds for their objection are summarised below:

#### Construction Stage

- parents may would remove their children from the nursery for the 76 week construction period due to concerns about the quality of provision and implications for safeguarding. It is unlikely that new children would join the nursery during this period. The nursery already operates at a financial loss and would be significantly further impacted by a loss of children making it all but impossible for the business to continue. This could undermine the City Council’s ability to sustain sufficient childcare provision within the city centre (one of only 3 city centre providers) with the consequent loss of employment for circa 22 members of staff, many who have worked here for over 10 years. When full the nursery has employed over 30 people at any one time. More specifically this would be due to:
  - the general disruption caused from the immediate proximity of the construction works;
  - the removal of the ramped access from Charles Street which provides independent, safe, secure and level access to all staff and visitors, including parents. The alternative access shared with the residential entrance to Bracken House is accessible only via a steep set of stairs and is unsatisfactory for parents with small children, prams and pushchairs. From a child safeguarding point of view, it is essential that the nursery is able to maintain a direct and independent access that is not shared with other uses or accessed by other members of the public;
  - during construction the outside play space would be unusable for safety reasons. If the nursery does not have access to an acceptable and safe alternative space it would not comply with Ofsted Guidance, the Early Years Foundation Stage (EYFS) Guidance and local authority expectations forcing the Nursery to close. The applicant has suggested a temporary provision of play-space at the Euro Car Park during construction. Significant safety and safeguarding matters that preclude a remote site from being a realistic and feasible option. It would need to be signed off by Ofsted.

- the loss of an essential childcare service for many working parents whose place of employment is in the city centre or who attend one of the several Universities located nearby, is a material consideration in the determination of this application. The December 2023 progress update on childcare sufficiency to the City Council's 'Children and Young People Scrutiny Committee' reminded Members of the statutory obligation placed upon Local Authorities to secure sufficient childcare for working parents, or parents who are studying or training for employment and for children aged 0-14 (or up to 18 for disabled children). The Manchester Childcare Sufficiency Report 2023 noted sufficient places to meet current demand across the City but expected pressure for more places to build in response to the expanded childcare entitlements that will start to come into effect from April 2024. Government data suggests that Manchester will require 15% more childcare places by September 2025 to meet demand for the new childcare offer for working families with children aged 9 months to 2 years.
- there is evidence that the City Centre will see increased demand for childcare, especially for younger children due to a significant number of parents working in the city centre and an increase in the number of families living in the city centre. According to the Childcare Sufficiency Update Report (Dec 2023), the 0-4 years population is on an upward trend. The consequences of this are evident in the opening of a primary school in the City Centre.
- The nursery and this site are on the border of Deansgate and Piccadilly Ward. The most recently published data shows that there is '*just*' sufficient provision of early years spaces. The loss of the nursery would result in a deficit of provision and compromise the ability for projected increase in demand up to mid-2031 to be met.
- The Council has expressed that it is keen to ensure high quality sustainable childcare is available to working families and is working closely with childcare providers to support inclusive growth. Given this and the context for provision set out above, the Council cannot afford to be unreasonably undermining existing early years provision that already exists within the city centre.

#### Post Construction

The proposal presents a real and significant threat to the sustainable future of the nursery business as it would not recover from the impact of the construction works.

The quality of the outdoor play space would be severely diminished and undermined by the proximity of the new building. It would be blocked in on both sides, have significantly reduced daylight and sunlight exposure and detrimentally impact on the overall usability and quality of the space. The reality is that it would remain an unusable space and therefore mean that the nursery would remain a non-compliant setting.

Reductions in levels of sunlight and daylight would also impact on the nursery's main office working environment which overlooks the play space.

## Policy Considerations

- Paragraph 2.27 of the Core Strategy identifies the major challenges being faced by the City in terms of raising long-term growth as: i) the need to boost productivity so that the growth rate increases; and ii) to ensure that all parts of the city region and all its people enjoy improved opportunities as a result of a stronger economy. Paragraph 8.56 confirms that there will be a particular emphasis on creating a family-friendly environment, which is a key ingredient to attracting and retaining a wider range of City Centre residents, so that City Centre living can be a choice which suits people irrespective of age or lifestyle, or changes in either.
- The proposal is not in a location compatible with existing adjacent uses and is not identified as a site that forms a key part of a pipeline of sites that are more key candidates for PBSA. The site can still be considered in line with the 2012 adopted version of the policy H12, however it will have a detrimental impact on maintaining the right balance of commercial, educational, residential, cultural and leisure uses and an overall adverse impact on an immediate neighbouring use. The principle that the proposal must come at the sacrifice of a well-established local business, that provides an essential service contribution to the economic growth of the city and the loss of which will have significant wider strategic consequences across other service provisions of the local authority is not accepted. The proposal is at direct odds with more significant strategic objectives.
- The nursery understands that there will be an ongoing need for PBSA. However, this must be balanced with the wider strategic economic and regeneration objectives of the city as a whole and in this instance, there is not a sufficient overriding need for additional PBSA in this specific location, to outweigh the loss of an existing business, which equally serves a fundamental role in the wider economic objectives of the City.
- Given the above the Proposed Development would be contrary to Policy CC 9 (Design and Heritage), Policy CC10 (A Place for Everyone), Policy H12 (Purpose Built Student Accommodation) and the City Council's recent review updates, regarding PBSA.

## General

- The applicant claims within the 'Planning and Tall Buildings Statement' that they carried out a range of 'consultation' exercises prior to the submission of the application, including with Paint Pots nursery and at paragraph 3.13 states that there has also been 'extensive one-to-one engagement' with the nursery, who have also provided 'written feedback to the project e-mail'. It is noted that no specific copies of the written feedback have been enclosed in the application submission. This would confirm that there has been no direct support for the proposal from the nursery who have raised their significant concerns with the applicant with no acceptable resolution being found. Paragraph 3.10 of the submitted Planning and Tall Buildings Statement, notes

that the National Planning Policy Framework (NPPF) recognises that good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community. Sadly, this has not been the outcome of engagement discussions from this process consequently there are considerable concerns as to how the real threat to and consequential loss of critically needed childcare provision can be an improved outcome for the community in this instance.

- The Applicant seems to have the attitude that it will just create difficulty regarding fire escape arrangements for the nursery if they don't agree to the solution that was presented.

The following general comments have also been received from objectors:

- Risk to my job as this is an inconvenience/threat to the surrounding businesses.
- Have the leasehold owners of Bracken House been notified about the applications.
- The level of engagement with interested parties including local businesses has been inadequate.

**Historic England** – Have no comments and recommend that the views of the City Councils specialist conservation and archaeological advisers is sought.

**Highways Services**- Have no objections subject to conditions in relation to Cycling Off-Site Highways Works, Student Move In / Move Out Strategy, Delivery Management Service and Waste Management Strategies and Construction Management.

**Environmental Health – (Street Management and Enforcement)** - Recommends conditions relating to the acoustic insulation of the PBSA and any associated plant and equipment, the storage and disposal of refuse, the hours during which deliveries can take place, and the management of construction. Mitigation can be secured by conditions to manage potential impacts on air quality and from dust to ensure that the adjacent Nursery, its play area and nearby homes would not be exposed to significant environmental construction impacts from noise, vibration and dust.

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

**Greater Manchester Ecology Group** – No objection but recommend conditions in relation to securing biodiversity enhancement and measures to contain surface water within the site.

**Flood Risk Management Team** – Recommended that Green Sustainable Urban Drainage Systems are maximised, and conditions should 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 subject to conditions relating to flood mitigation being included within the proposals.

**HSE (Gateway One)** – Are satisfied with the fire safety design to the extent that it affects land use planning.

**United Utilities** – No objections subject to surface water management conditions.

**Work and Skills** – Have approved the Local Labour Agreement for construction subject to a further report in relation to local labour achievements.

**Greater Manchester Archaeological Unit** – Notes that archaeological interest in the site is negligible and are satisfied that no further investigation is warranted and archaeological matters do not need to be considered further.

**Network Rail** – No objections subject to a condition relating to the safeguarding of their assets.

**Active Travel England** – No objections

**Natural England** – No objection

**Canal and Rivers Trust** – Have no comments.

**Cadent Gas** – No objection

**University of Manchester** – No comments received

**Manchester Metropolitan University** - No comments received

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

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

**Statutory Lead for Early Years Access & Sufficiency (EYAS), Manchester City Council 2<sup>nd</sup> February 2024.**- The developer has had meetings with the Nursery which is identified as a key stakeholder. EYAS are concerned that the impact on the nursery could still be significant in spite of the assessments made on noise, vibrations, air quality and daylight. They are concerned about the accessibility of the nursery for the duration of, and subsequent to, the development. They are aware that some families drop off and collect children using a drop off parking spot close to the entrance. Removing this access is likely to have a detrimental effect on the nursery.

They note that the loss of the nursery could result in a deficit of places in this ward by 2025 but that may be offset by oversupply in another. It is not possible to predict where families take up their childcare place as this can be influenced by factors such as where they work or where they take another child to school. It is also possible that other nurseries may choose to open in the City Centre. They would, however, be keen to avoid the loss of a high quality, long standing daycare provider.

## Issues

### The Development Plan

The Development Plan consists of: The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan for the City of Manchester (1995). The Core Strategy is the key document and sets out the long-term strategic planning policies for Manchester's future development.

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

**Manchester Core Strategy Development Plan Document (July 2012):** The relevant policies within the Core Strategy are as follows:

#### Strategic Spatial Objectives

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

**SO1. Spatial Principles** this is a highly accessible location and the proposal would reduce the need to travel by private car and support the sustainable development of the City and help to mitigate climate change.

**SO2. Economy** Jobs would be provided during construction with permanent employment and facilities in a highly accessible location. This would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

**SO3 Housing** – The PBSA would be in a in a highly accessible, sustainable location.

**SO5. Transport** The PBSA would be highly accessible, reduce the need to travel by private car and use public transport effectively.

**SO6. Environment** The proposal would seek to protect and enhance the natural and built environment and ensure the sustainable use of natural resources to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; and, ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

**Policy SP 1 (Spatial Principles)** - The proposal would have a positive impact on visual amenity and the character of the area adjacent to a number of strategic regeneration areas. The proposal would complement nearby developments.

**Policy CC3 Housing** – The proposal would contribute to meeting the Core Strategy housing targets for the City Centre and the PBSA could free up mainstream housing

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

**Policy CC6 (City Centre High Density Development)** – This would be a high density development and maximise the efficient use of land.

**Policy CC7 (Mixed Use Development)** – The ground floor amenity space would add to the appearance of ground floor activity at the junction of Charles Street and York Street.

**Policy CC8 (Change and Renewal)** – Jobs would be created during construction and in the building management.

**Policy CC9 (Design and Heritage)** - The design would be high quality. Its impact on the settings of nearby listed buildings and conservation areas is discussed in detail in the report.

**Policy CC10 (A Place for Everyone)** – The proposals would complement the regeneration of Circle Square, broaden the range of housing in the City Centre and would be accessible.

**Policy H1 Overall Housing Provision** - The PBSA would help to create a mixed community and would contribute to the ambition of building 90% of new housing on brownfield sites.

**Policy H12 Purpose Built Student Accommodation** - the provision of PBSA would be supported where it satisfies the criteria below. Priority will be given to schemes which are part of the universities'. Redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation



should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.

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

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

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

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

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

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

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

**Policy T1 (Sustainable Transport)** – The proposal would encourage modal shift away from car travel to more sustainable alternatives and include improvements to pedestrian routes and the pedestrian environment which would prioritise pedestrian and disabled people.

**Policy T2 (Accessible Areas of Opportunity and Need)** – The proposal would be accessible by a variety of sustainable transport modes.

**Policy EN1 (Design Principles and Strategic Character Areas)** - The design would enhance the character of the setting of the adjacent conservation area and listed buildings and the image of Manchester. The design responds positively at street level and would enhance legibility. The design is discussed in more detail below.

**Policy EN2 Tall Buildings** - this proposal would be appropriately located, contribute to sustainability and place making and bring regeneration benefits. It would complement the City's built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including its skyline.

**Policy (EN3 Heritage)** – The impact on the settings of the nearby listed buildings and conservation areas is discussed in detail later in the report.

**Policy EN5 Strategic Areas for low and zero carbon decentralised energy Infrastructure** the building has an energy strategy. There are no plans for district heating or other infrastructure in the local area. The energy systems which would be incorporated into the development could connect to any future infrastructure.

**Policy EN6 (Target Framework for CO2)** - An Energy Statement sets out how the development would comply with the target framework for CO2 reductions from low or zero carbon energy supplies.

**Policy EN8 (Adaptation to Climate Change)** – The development would seek a BREEAM Excellent rating.

**Policy EN14 Flood Risk** – The site is located in Flood Risk Zone 3 and is at a high risk of flooding from the River Medlock and surface water. Surface water runoff would be minimised. Flood risk would be mitigated through design features.

**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. Parking is not proposed, cycling would be encouraged. Dust suppressions measures would be used during construction.

**Policy EN17 (Water Quality)** – An assessment of the site's ground and groundwater conditions shows the proposal would be unlikely to cause contamination to surface watercourses and the impact on water quality can be controlled by a condition.

**Policy EN18 (Contaminated Land and Ground Stability)** - A desk study identifies possible risks arising from ground contamination and any impact could be controlled through a condition.

**Policy EN19 (Waste)** - The development would be consistent with the principles of waste hierarchy. A Waste Management Strategy sets out how waste production would be minimised during construction and operation. The onsite management team would manage the waste streams.

**Policy DM1 (Development Management)** – Careful consideration has been given to the design, scale and layout of the building along with associated impacts on amenity. These issues are considered full, later in this report.

**DM2 ‘Aerodrome safeguarding’** - the proposal would not impact on aerodrome safety.

**PA1 ‘Developer Contributions’** The applicant has offered to provide discounted rented accommodation and has agreed to enter into a legal agreement with the City Council to secure this. In addition, as the waste collections are reliant on private collections, this is also secure through the legal agreement to ensure it remains in place for the lifetime of the development. For the reasons given above, and within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

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

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

The relevant policies are as follows:

**Saved Policy DC18.1 Conservation Areas** – The proposal would have no impact on the setting of the Whitworth Street Conservation Area. This is discussed in more detail below.

**Saved Policy DC19.1 Listed Buildings** – The proposal would have no impact on the settings of the nearby listed buildings. This is discussed in more detail below.

**Saved Policy DC20 Archaeology** – An archaeological desk based assessment concludes that the archaeological interest in the site is negligible and as such no further investigation is warranted.

**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 supported by acoustic assessments and the proposal would not have a detrimental impact on the amenity of surrounding occupiers through noise. This is discussed in more detail below.

### **Other material policy considerations**

#### **Places for Everyone**

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

The Inspectors’ Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors’ Report sets out and justifies their

recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The relevant policies in the Plan are as follows:

Objective 1: Meet our housing need – this proposal would provide 107 student bedrooms. Providing student accommodation in a sustainable location is an essential component of the City's housing strategy.

Objective 2: Create neighbourhoods of choice – this proposal would develop a brownfield site close to jobs, amenities and public transport.

Objective 3: Playing our part in ensuring a thriving and productive economy in all parts of Greater Manchester – jobs would be created during construction and when the development is operational.

Objective 4: Maximise the potential arising from our national and international assets – the proposal would provide an appropriate development on a strategic through route removing a vacant and poor quality site from the area creating a high quality development with enhanced street level activity and legibility.

Objective 5: Reduce inequalities and improve prosperity – The site is close to employment and educational opportunities.

Objective 6: Promote the sustainable movement of people, goods and information – The proposal would be within walking distance to Oxford Road and Piccadilly stations, Metrolink stops and have with access to the local bus corridor on Oxford.

Objective 7: Playing our part in ensuring that Greater Manchester is a more resilient and carbon neutral city-region – This low carbon development includes Air Source Heat Pumps and there would be improved as a result of green sedum roofs.

Objective 8: Improve the quality of our natural environment and access to green spaces – biodiversity would be improved and surface water would be managed.

Objective 9: Ensure access to physical and social infrastructure – There are amenities and services nearby.

Objective 10: Promote the health and wellbeing of communities – travel planning would promote use of public transport and the use the local amenities.

Policy JP-Strat1: Core Growth Area- The development would support economic growth. The 107 student bedrooms would support the student accommodation pipeline and employment and economic growth. It would create jobs during construction and when in operation.

Policy JP- Strat2: City Centre- This would be a high density scheme in a highly sustainable location. The biodiversity would be improved.

Policy JP-S2: Carbon and Energy – The proposal would include Air Source Heat Pumps and would exceed the requirements under Part L 2022.

Policy JP-S5: Flood Risk and the Water Environment – The development would have an integrated drainage scheme that would minimise surface water run off.

Policy JP-S6: Clean Air – An accessible parking space would be provided on York St. Construction activities can be mitigated to minimise the impact on air quality.

Policy JP-S7: Resource Efficiency – Resources would be consumed during construction. On site demolition is limited. The proposal would be highly efficient and low carbon.

Policy JP-H3: Type, Size and Design of New Housing – The proposal would include 107 studios including larger studios and 6 accessible studios together with student amenities, management suite.

Policy JP-H4: Density of New Housing – This would be a high density development in a sustainable area.

Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity – There would be sedum roof and potential for inclusion of bird and bat boxes which would increase biodiversity.

JP-P1 Sustainable Places – The proposal would develop a vacant site. External amenity space and community space would support the community. The development would promote recycling.

Policy JP-P2: Heritage – The architecture and materiality would be high quality and minimise and impacts to nearby historic buildings.

Policy JP-C1: An Integrated Network – This is a highly sustainable location and is well connected to public transport, jobs, recreation and green infrastructure.

Policy JP-C4: Streets for All – The upgrade of the footways and cycleways would support an integrated network of street and improve permeability and accessibility to the city centre and the Oxford Road Corridor.

Policy JP-C7: Transport Requirements of New Development – The proposal would be connected to the infrastructure and nearby public transport.

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

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

Sections of relevance are:

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

- Paragraph 2.7 states that encouragement for “the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.
- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.
- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

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

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

The proposal would support and align with the overarching objectives promoted by the Guide.

### **Manchester Residential Quality Guidance (2016)**

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high-quality residential neighbourhood and a place for everyone to live. The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows: Make it Manchester; Make it bring people together; Make it animate street and spaces; Make it easy to get around; Make it work with the landscape; Make it practical; Make it future proof; Make it a home; and Make it happen.

The proposal would support and align with the overarching objectives promoted by the Guide.

### **Manchester Strategy (January 2016)**

The strategy sets the long term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the level and range of residential accommodation is fundamental to achieving that vision. The proposal would support and align with the overarching objectives promoted by the Strategy.

### **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. It also sets out the need for residents (who include students) to have access to good quality accommodation across different types, tenures, and price ranges. The proposed development would go some way to contribute to achieving the above targets and growth priorities and would deliver 21 affordable rooms. The provision of affordable rooms is covered in more detail later in this Report.

### **Manchester Green and Blue Infrastructure Strategy 2015**

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

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

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

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

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

The provision of sedum roofs and potentially a street tree and other measures to enhance biodiversity such as bird boxes would support and align with the Strategy.

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

The site of the current planning application falls within the area designated as the Corridor. The Plan recognises 'Corridor Manchester' as a unique area of the City, and the most economically important in Greater Manchester.



The plan identifies the Corridor Manchester as a unique area of Manchester and the UK. It is a hub containing world-class higher-education institutions, a leading research and teaching hospital complex, and a rich range of cultural facilities.

It notes that the successful development of Corridor Manchester is fundamental to driving future economic growth and investment in the Manchester City Region. Corridor Manchester is identified as economically the most important area within Greater Manchester, with more job creation potential than anywhere else. The area generates £3billion GVA per annum, consistently accounting for 20% of Manchester's economic output over the past five years. The area has more than 60,000 jobs, over half of which are within knowledge-intensive sectors, including health, education and professional, scientific and technical sectors.

The strategy identifies the continuing development of the University of Manchester and Manchester Metropolitan campus masterplans to create high quality learning environments that enhance the student experience. The proposed PBSA would support the continuing development of the Universities close to good transport links for ease of access.

Corridor Manchester (Strategic Spatial Framework) - The Corridor Manchester Partnership brings together Manchester City Council, the University of Manchester, Manchester Metropolitan University and the Central Manchester University Hospitals NHS Foundation Trust with the aim of generating further economic growth and investment in the knowledge economy for the benefit of the City Region.

Oxford Road Corridor (ORC) following the preparation of the Corridor Strategic Vision to 2025.

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

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

Both the University of Manchester and Manchester Metropolitan University have put in place aspirational growth plans. This includes the University of Manchester's proposed £1 billion capital investment programme which seeks to deliver the 'world

class estate' needed to support its 2020 vision to be one of the leading universities in the world. Manchester Metropolitan University has recently published a ten year Estates Strategy which outlines a series of strategic investment proposal to the value of c£300m to support its University Strategy. The Strategy notes that over the next five years, the number of students studying at MMU will grow by 10%. This concentration of students is very evidently a key part of the success of the Corridor.

It underpins and supports the research activities of the educational institutions, whilst the large population living, working and spending time in the Corridor give the area its vibrancy and contribute significantly to its large economic output.

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

This is recognised by Corridor Manchester Strategic Spatial Framework, which states that:

"The investment of the universities and their recognition as world class institutions will undoubtedly result in an increasingly greater student intake from outside the region and internationally. This will drive demand for new student residential accommodation within the Corridor, in locations that are within a reasonable walking distance to the heart of the universities, over the lifetime of the strategy. This will include an upgrade of existing stock that is reaching the end of its life as well as additional provision. New student accommodation must incorporate a range of price points and be of a quality in terms of product, management and pastoral care that will safeguard the student experience, particularly for first year and overseas students".

The SSF identifies the essential role that surrounding neighbourhoods, will play and how that role will be facilitated through the creation of high quality connections and new public realm. It also establishes the principle that development of land in the Oxford Road Corridor should prioritise commercial or educational/research use, in order to maximise the growth potential of the Corridor, recognising the limited availability of land which is likely to become more and more of a significant challenge in terms of growth potential. The PBSA Reports detailed above acknowledge that given the finite supply of land that, student accommodation should, therefore, be in the right locations, in appropriate numbers, and only where it supports wider growth.

The SSF set out the benefits of clustering through good quality and legible north-south and east-west connections. The site is located within easy reach of the wider Oxford Road Corridor, it represents a key opportunity, in a sustainable, attractive location, which will support the City's strategic growth objectives.

The proposed PBSA would support the enhancement of the student experience within the highly competitive higher education market detailed above. The provision of critical infrastructure in the form of accessible quality market facing PBSA accommodation would meet the demands of some students for an enhanced student experience. For these reasons and as discussed in more detail later in this Report would support the objectives of the SSF.

The Former BBC Strategic Development Framework (BBC SRF) and Circle Square Masterplan – Circle Square to the south of the Site (the former BBC site) and is a key strategic regeneration site within the Oxford Road Corridor.

To date the Circle Square development has provided:

8 buildings varying from 12-37 storeys, buildings fronting Charles St range from 17-37 storeys.

- 1.2m sq. ft. commercial space – including a new hotel
- C430,000 sq. ft. (NIA) PRS residential (c.700 apartments)
- C. 390,000 sq. ft. serviced apartments (c.1000 units)
- C.100,000 sq. ft. retail space
- Multi-storey car park providing c.1000 spaces.
- Reinstatement of historic street routes creating a fine grain running north/south and east/west
- 2.2 hectares new public realm – a significant, central green space with c.200 new trees & a central commercial unit

The proposed development in this location would provide a complementary facility to support the successful delivery of the Masterplan.

North Campus Strategic Regeneration Framework, January 2017 - The Application Site is located to the west of the North Campus SRF area. The North Campus is one of the few large, centrally located sites in Manchester City Centre yet to undergo major regeneration. There are vast opportunities that have been identified in the area that will allow this part of Manchester to reconnect with the city and with other redevelopments in its vicinity. It is anticipated that the North Campus will be able to provide and deliver numerous social, economic and environmental benefits to Manchester and to the wider North West region.

Close to Manchester's Piccadilly train station and Oxford Road, North Campus will enhance city centre connectivity. The area will also benefit directly its proximity to the integrated transport hub and from the delivery of both HS2 and Northern Powerhouse Rail (NPR).

As well as creating the opportunity for new homes and jobs, the benefits of North Campus to the city of Manchester include accessibility and direct connection to the University of Manchester's main campus to the south-west, and central Manchester to the north of the site. The Application Site is well positioned on Charles Street to help improve this connectivity along east-west routes from Oxford Road to Piccadilly.

## MCC Executive Committee Reports on PBSA

### **Executive Report ‘Consideration of Policy H12: Purpose Built Student Accommodation Within the Changing Market Context’ in November 2019.**

This set out that there is an increasing scarcity of land within the City Centre, including within the Oxford Road Corridor. As such, there is a need for the finite amount of land to be used strategically to support the economic growth of the Corridor.

The report goes on to highlight that there are an increasing number of international students who are typically choosing to live in the City Centre due to rising lifestyle expectations, property type and management; however, there has been a limited number of PBSA schemes delivered resulting in increasing pressure on the traditional rental market, coupled at a time with an increasing number of non-student residential growth. These trends have contributed to an increasing rental level across the City and high levels of council tax exemptions in traditional market housing stock.

The report references that whilst Policy H12 remains relevant, market changes, which have seen higher numbers of numbers of second- and third-year students in particular living in the mainstream private rented sector in the city centre, dictate the need to review the interpretation and application of the Policy. The purpose of the review being to primarily respond to affordability challenges, the need for PBSA, and the need to locate accommodation in close proximity to the higher education institutions.

The Report sets out policy proposals made with respect of the application of Policy H12 in ensuring that the right mix of student housing is delivered, in the right parts of the city, to meet the demands of the evolving student population and the wider growth and regeneration objectives of MCC and its partners.

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

The Executive considered a subsequent report titled Purpose Built Student Accommodation in Manchester, which concluded that the principles set out in the November Executive Report remain appropriate as providing context for the application of Core Strategy Policy H12. The Report concluded that, *“While not formal policy, the recommendation is for this approach to be of material consideration in the application of Policy H12 when considering planning applications for purpose built student accommodation schemes.”*

The Report therefore suggested that a refreshed approach to PBSA is required to ensure that the right mix of PBSA is delivered in the right parts of the City in order to cater to the demands of the evolving student population and wider economic growth of Manchester.

The Report noted that there is a need to provide balanced neighbourhoods that respond to all forms of housing need, including PBSA located in the Oxford Road

Corridor, in proximity of the universities concluding that the Oxford Road Corridor is the appropriate location for such new PBSA.

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

The critical need to ensure there is a residential market, which meets the needs of students at an affordable price was also noted. The city cannot allow affordability to impact on the ability to attract and retain students from a range of backgrounds, and/or prohibit them from living in areas close to the university campuses. Concerns about the overall quality of Manchester's PBSA stock compared to other cities was also raised.

The policy consideration of this application has therefore been considered with respect of the above Reports.

### **Executive Report (31 May 2023) Purpose Built Student Accommodation in Manchester**

The report addressed issues that have arisen since the December 2020 report and established a pipeline of schemes to address a projected shortfall of accommodation up to 2030.

It recognised that there is a shortage of PBSA in Manchester and that demand for PBSA could be between 5440 bed spaces (representing 1% growth per annum) and 11320 (2% growth per annum) up to 2030 with the actual demand based on a number of factors including the growth of the Universities, Government policy (tuition fees) and global factors. Demand needs to be reviewed regularly but 750 new spaces are expected to be required per annum up to 2030.

The report addressed the Inspectors findings at the recent appeal at Deansgate South around the need for the Council to establish, monitor and manage a pipeline of scheme in order to demonstrate that demand for PBSA can be met in appropriate locations. The report identified a pipeline of sites that could be used for PBSA including those within the estate plans of the University of Manchester and Manchester Metropolitan University.

The report stated that should there be sufficient opportunity, there would be no obvious need to significantly depart from Policy H12 which has largely been effective in managing the supply of PBSA.

20 sites were identified which could potentially support around 12,500 PBSA bedspaces. Their suitability, availability and deliverability were assessed to establish whether they are capable of meeting bedspace requirements, in line with identified and projected need.

Whilst the application site has not been identified as one of the sites within the pipeline to meet demands in the City, the 107 student beds, would bolster pipeline supply and ease pressure on current student accommodation levels. This also need to be considered in the context of there being a finite number of sites which can accommodate PBSA in a sustainable manner given the need for these to be located close to the universities and associated facilities and service.

Consideration has been given to the suitability of student accommodation against the requirements of policy H12 of the Core Strategy which is considered in detail in this report.

Stronger Together: Greater Manchester Strategy 2016-2025 - This is the sustainable community strategy for the Greater Manchester City Region. The Manchester Strategy 2016-25 also identifies a clear vision for Manchester's future, where all residents can access and benefit from the opportunities created by economic growth. Over a thirty year programme of transformation, Manchester has become recognised as one of Europe's most exciting and dynamic cities. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region and a high quality of life. All its residents are able to contribute to and benefit from sustained prosperity.

The proposed PBSA accommodation would support and align with the overarching objectives promoted by the City Region via the GM Strategy.

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

The revised NPPF re-issued in December 2023. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 6 'Building a Strong, Competitive Economy' states that Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para 84).

The proposal would generate 45 full-time equivalent (FTE) jobs during the 2 year build period, contributing c.£6 million GVA to the Greater Manchester economy (including c.£4.9 million concentrated in Manchester) Once operational, it would support 5 FTE jobs and contribute c.£350,000 GVA to the local economy per academic year.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive, and safe places and beautiful buildings (para 96). The proposal would be safe and secure. Cycle parking is

provided. A disabled parking bay would be provided available adjacent to the development. Further spaces are available in nearby multi storey car parks. Amenity spaces for residents and green infrastructure would be provided. The building would have a high quality and contextually appropriate appearance.

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 109).

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 114).

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 115).

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 116).

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

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while

safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 123).

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 124)

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 127)

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 128).

The proposal would re-use a brownfield site currently used as a site compound and space and previously as a temporary surface car parking. The scale and density of the proposal is considered to be acceptable and represents an efficient use of land. The PBSA would meet known regeneration requirements in the area. The site is close to sustainable transport infrastructure. A travel plan would encourage the use of public transport, walking and cycle routes to the site. There would be no car parking reducing car journeys associated with the development.

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 131).

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 135).

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 136).

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 139).

The design would be highly quality and complement the distinctive architecture within the area. The building would be sustainable and low carbon. The Proposed Development would include biodiversity enhancements, green infrastructure and the potentially include a new street tree.

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 157).

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 159).

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 162).

The buildings fabric would be highly efficient, and it would use only electricity for heating and other building services. Efficient drainage systems would manage water at the site. The building design would mitigate and manage flood risk.

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land. High performing fabric would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements include sedum roofs and there is potential for a street tree and bat and bird boxes which would be an improvement based on the current condition of the site.

Paragraph 189 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 191 outlines that decisions should ensure that no development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment. There would be some short term noise impacts associated with construction but these can be managed to avoid any unduly harmful impacts on amenity. There are no noise or lighting implications associated with the operation of the development.

Paragraph 192 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during construction. There would be a travel plan and access to public transport encouraging alternative travel choices.

Section 16 'Conserving and enhancing the historic environment' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (para 200).

In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 204).

In considering the impacts of proposals, paragraph 205 states that the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 209).

The proposal would cause no harm to the setting of heritage assets. This is considered in detail in the report.

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

Planning Policy Guidance (PPG) The relevant sections of the PPG are as follows:

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

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

Noise states that Local planning authorities should take account of the acoustic environment and in doing so consider: • whether or not a significant adverse effect is occurring or likely to occur; • whether or not an adverse effect is occurring or likely to occur; and • whether or not a good standard of amenity can be achieved.

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

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

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings

- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

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

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

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

Heritage states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.”

Public benefits may also include heritage benefits, such as: - Sustaining or enhancing the significance of a heritage asset and the contribution of its setting; - Reducing or removing risks to a heritage asset; - Securing the optimum viable use of a heritage asset in support of its long-term conservation. Other legislative requirements

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

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.

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

### **Environmental Impact Assessment**

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and has considered the following topic areas: Air Quality; Sunlight and Daylight Assessment; - Cumulative Effects. The Proposed Development is an "Infrastructure Project" (Schedule 2, 10 (b)) as described in the EIA Regulations. An EIA has been undertaken covering the topic areas above as there are judged to be significant environmental impacts as a result of the development and its change from the current site condition as a cleared site.

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

In accordance with the EIA Regulations, this ES sets out the following information: -  
 A description of the proposal comprising information about its nature, size and scale;  
 - The data necessary to identify and assess the main effects that the proposal is likely to have on the environment.

- A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, water, air, climate, cultural heritage, townscape and the interaction between any of the foregoing material assets.
- Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects; and
- Summary, in non-technical language, of the information specified above. It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation. Conservation Area Designations

### **Principle of the redevelopment of the site, contribution to regeneration Principle and Socio Economic Impact**

The contribution a scheme would make to regeneration is an important consideration. The growth and development of the higher education sector is critical to the City's economic growth.

Attracting students ensures that Manchester remains competitive globally and builds upon its reputation as a world class place to study. Providing PBSA is vital to this. Graduates make an important contribution to the city's economy with over 50% staying here to work, the second highest behind London. This high level of graduate retention is vital to business growth and retention in the City. There are important links between economic growth, regeneration and the provision of homes, including PBSA in appropriate locations, as part of creating sustainable communities.

The proposal would deliver significant social, economic and environmental benefits.

Construction phase:

75 FTE jobs would be created over 1.5 years during construction; and result in a net additional contribution of £6 million GVA to the Greater Manchester economy, with £4.9 million in Manchester.

Operational phase:

The students would generate expenditure of £350,000 per academic year, with their visitors contributing a further £60,000. This could support 2 jobs locally in the hospitality and retail sectors, and 5 FTE employment opportunities in the operation of the PBSA, generating gross direct GVA contribution of £200,000 (gross).

There would be supply chain benefits creating more jobs.

The redevelopment of this vacant, brownfield site would complement the regeneration of the area; the 107 bedspaces would contribute to the student accommodation pipeline, close to universities, of which 20% would be affordable; a local labour proposal would be agreed to ensure local employment.

Up to 36 student HMOs could be freed up. Potential freeing up of HMOs to provide accommodation for families.

The proposed use is therefore considered to be consistent with the Core Strategy policies SP1, EC1, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1 together with the NPPF. It is however necessary to consider the potential impact of the development in terms of policy H12 PBSA

### **Principle of Student accommodation and compliance with Policy H12**

Significant weight should be given to policy H12 PBSA. The Executive reports in December 2020 and May 2023 on PBSA are a material consideration. Policy H12 outlines criteria which must be addressed.

The site is close to Oxford Road and close to the University Campuses.

An Energy Strategy for Plot 10b has been submitted within this application and discussed below. It is considered on that basis that the proposal would meet the requirements of point 2 of Policy H12.

The site's prominent location within the ORC and city centre lends itself to very high-density development in order to make the most efficient and effective use of the site. The PBSA would be located in a mixed-use area where existing residential (student and non-student) development exists, alongside supporting facilities and other uses which reflect its prominent and accessible location in the City Centre (e.g. food and drink uses, hotel and cultural and visitor attractions). The area is a popular location for students and non-students alike and, to this end, is an appropriate location for additional student accommodation.

On the basis of the site's highly sustainable location, the Proposed Development will not include any standard resident or standard visitor access requirements for vehicles. An on-street disabled parking bay will be provided. Students will be further encouraged to use sustainable transport as part of the Travel Plan and Student Management Strategy. It is expected, therefore, that the proposal would not result in an increase in on-street parking in the surrounding area.

It is considered therefore on the basis of the above 2 points that the proposal would meet the requirements of point 3 of Policy H12

The proposal would contribute to the pipeline of PBSA and address need identified in the May 2023 Executive report. This would reduce the demand by students on mainstream housing.

The proposal would support the objectives of the Oxford Road Corridor strategic spatial framework guide. It would re-use a brownfield site and create a high quality building.

It is considered therefore on the basis of the above 2 points that the proposal would meet the requirements of point 4 of Policy H12.

The development would incorporate measures such as a 24 on site staff presence and would comply with the recommendations of the Crime Impact Statement and a condition should require Secured by Design accreditation. The site is vacant and without lighting. Extensive lighting would be implemented throughout this development as well as CCTV cameras and improve safety and security. It is considered therefore that the proposal would meet the requirements of point 5 of Policy H12.

The development is designed so as to minimise overlooking of adjacent residential uses (notably Bracken House). As detailed later in this Report there would be no unacceptable amenity issues arising from noise or vibration, changes to the wind microclimate or through the loss of daylight / sunlight or overshadowing in the sites urban context.

There should be no increased noise as a result of the PBSA use. The building would be subject to appropriate acoustic insulation levels and a Management Plan which could be a condition and ensure that the development would be well run and that its operation respects nearby residents. Arrivals would be managed to ensure that student arrivals cause the minimum disruption to residents and highway operation



It is considered on the basis of the above points that the proposal would meet the requirements of point 6 of Policy H12.

The site is vacant and does not contain any heritage assets. Impact on heritage assets in the surroundings have been assessed and it is considered that there would be no harm to the setting of heritage assets from the development. It is considered therefore that the proposal would meet the requirements of point 7 of Policy H12.

The student residence will have 24 hour on site management which will be responsible for managing the waste and recycling strategy on-site. Student refuse is stored in the studios and transferred by them via lifts to a ground level adjacent to the proposed loading bay. On collection day, the management team would move the refuse bins to the collection point. The Waste Management Strategy demonstrates that the bin stores can accommodate the forecast number of bins provided that it is collected via by a Commercial Waste Operator and this would be secured through a legal agreement.

It is considered therefore that the proposal would meet the requirements of point 8 of Policy H12.

In respect of the need for additional student accommodation, this has been recognised by the City Council in its report of PBSA to the Executive Committee. It is acknowledged within those reports that present levels of PBSA available to support student population and the limited investment in PBSA over recent years is causing a series of issues for the City. Those include driving rents upwards such that Manchester is one of the most expensive UK cities for PBSA; and students increasingly occupying mainstream housing stock. This means family and other forms of housing is being occupied by students preventing working households from accessing this stock. The latter also has an impact on the affordability of housing to meet local residents' needs, significantly reduces Council Tax revenue through student exemptions, and creates issues in terms of effective management (with consequential impacts on amenity, neighbourliness, etc).

Not only does this have a detrimental impact on the housing market, contributing to inflating prices in the private rental sector, it also has an adverse impact on affected communities, with students living in accommodation not best suited to their needs. Providing high-quality purpose-built student schemes such as that proposed can support the effort to return non-PBSA residential accommodation to the mainstream market and the long term sustainability of affected communities.

It is considered that the proposal would meet the requirements of point 9 of Policy H12.

The Applicant has a strong track record of development delivery across the UK. A full design team is assembled, the applicant is well advanced in selecting a principal contractor, and the intention will be to start construction as soon as planning permission is granted, in full confidence there is strong market demand.

They are fully committed to bringing forward the site with a target opening year of the 2026/27 academic year. It is considered therefore that the proposal would meet the requirements of point 10 of Policy H1

The proposal would fully comply with the requirements of policy H12 and with the detailed criteria in the December 2020 and May 2023 Executive reports and the principle of developing PBSA at the site is considered to be acceptable. The proposal complies with the aspirations of the Oxford Road Corridor Spatial Framework Guide by providing purpose built student accommodation within walking distance of the University Campuses.

### **Affordable student accommodation**

Whilst there is no planning policy requirement to provide affordable accommodation within PBSA, the December 2020 Executive report recognised that a more diverse pipeline of PBSA is required. The applicant has offered to include affordable rented accommodation. 21 studios would be available at a discounted rent and made available to students at a Manchester Higher Education Institution. These rooms would be the same size as all other rooms.

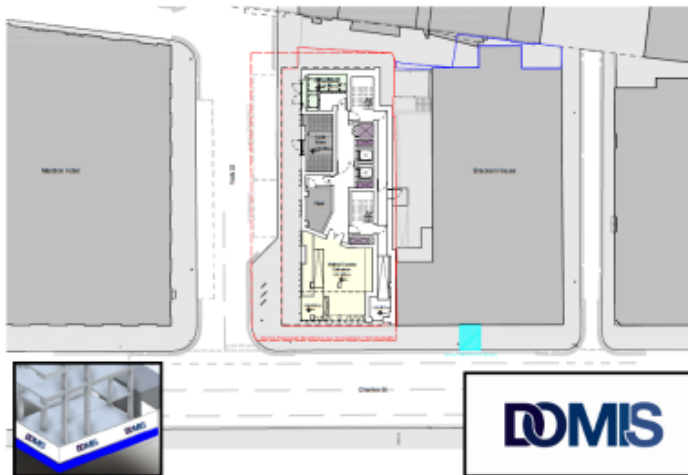
Affordable student accommodation is not required to make this development acceptable and is being offered on a voluntary basis by the applicant. It is not a material planning consideration in this instance and Members should not take it into account in the determination of this planning application.

It should be recognised though that the cost of PBSA is an issue that has been raised by student bodies and Manchester Universities and was identified as a key issue in the Executive reports. The provision of affordable student accommodation is necessary and essential to meet need and demand going forward. The affordable accommodation would be secured by a legal agreement.

### **Impacts on Local Businesses**

#### Construction Phase Impacts

A Logistics Strategy demonstrates that the site hoarding would not encroach on any other properties. The construction site includes part of the footway but a 1.8m route would be retained on Charles Street at all times. The footway on the eastern side of York Street would be closed, but the footway on the western side is unaffected.



**Figure 1 : Extract from Logistics Strategy**

It would not be necessary to close York Street or Charles Street, either partial or full, but some parking would be lost on York Street and the footway on the north side of Charles Street would be partially closed. Access to the MOT garage, the Maldron Hotel and the service area of the Kimpton Hotel would be unaffected.

Deliveries for construction would be to a site compound to the north of the railway viaduct which should ensure that access to DC Motors would not be affected. The developer would aim to arrange deliveries outside of business hours where practicable. Should a construction vehicle be stationary on York Street for anything other than a very short period, for example whilst getting access to the site, alternative vehicle access to DC Motors is possible via Mallard Street. York Street has no parking and double yellow lines, except for the marked parking bays and would remain so.



**Extract of Logistics Plan**

The temporary loss of 2 on-street parking spaces on York Street during construction is limited to a single bay with space for two cars off York Street. This area would

become an accessible parking bay and a loading area with double yellow lines retained including to the frontage of the DC Motors site.

The applicant would liaise with the Nursery regarding access during construction.

Construction noise would be mitigated through the implementation of a Construction Environmental Management Plan (CEMP) this is discussed in the section on Noise and Vibration Section below.

The contractor will keep neighbours (which includes the MOT garage and Nursery) well informed before and during the construction phase through various means:

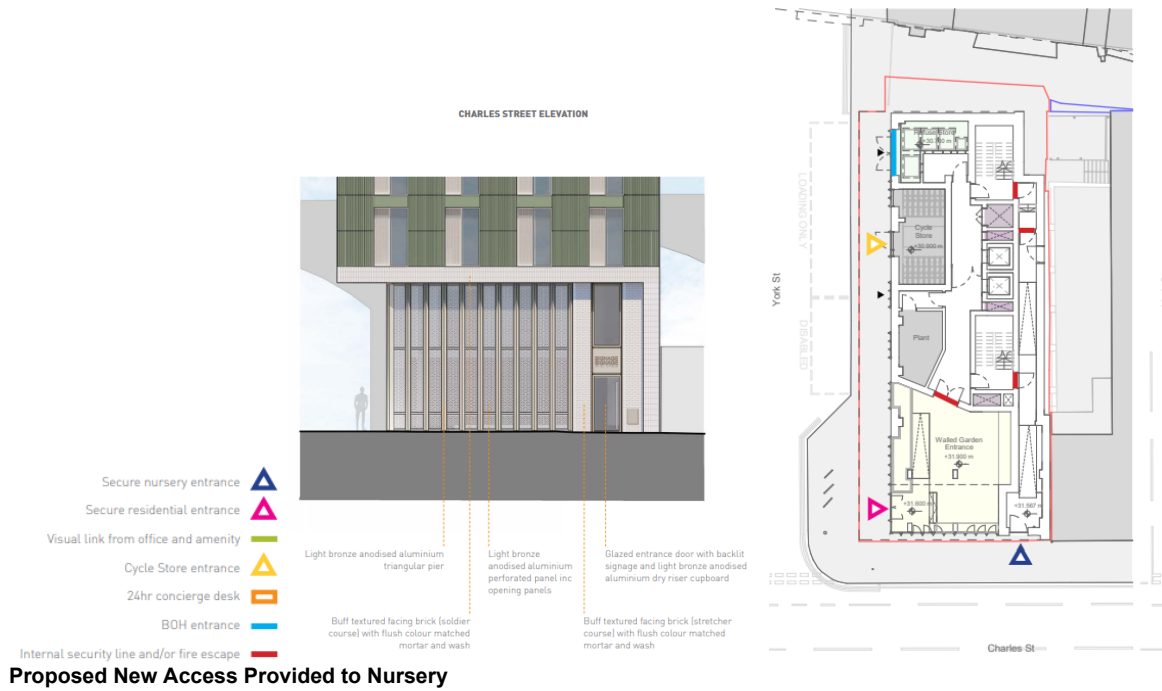
- A member of the contractor team will be designated as the Project Community Liaison Manager responsible as a single-point contact to ensure good neighbour relations.
- A regular neighbours meeting will be established at a frequency agreed with the neighbours to bring them up to speed with project progress and key elements of the work.

The CEMP emphasises that continuity of existing site operations will be at the centre of the delivery of the project. This will include the following: i) Protect and maintain all existing adjacent buildings operations and services; ii) protect and maintain all existing highway and footpath operations and services contained within.

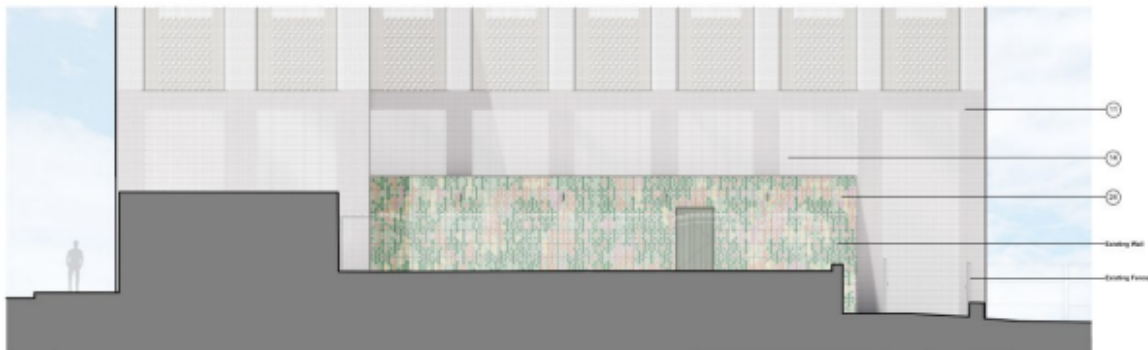
The arrangements to be put in place during construction should ensure that business can continue to operate safely.

#### Operational Phase Mitigation

The proposal includes a new entrance for the Nursery from Charles Street. This would replace the existing recessed entrance on Charles Street which necessitates the use an unlit passageway with no overlooking from the nursery by staff, visitors and customers. The new entrance would be security controlled at Charles Street. Dedicated signage would be provided above the new entrance. A DDA compliant access ramp would provide access to the nursery's outdoor area.



Part of the elevation facing the nursery at ground level would be available for an art installation. A condition would require details of how this would be progressed, but it is expected that the application would liaise with the nursery to ensure that its children are involved in the design and/or installation.



**Figure 3 : Extract of plan indicatively showing mural on eastern elevation**

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

There is an economic, social and environmental imperative to improve the energy efficiency of buildings. Larger buildings should attain high standards of sustainability because of their high profile and impact. The energy strategy sets out how the operational and embodied carbon would contribute to Net Zero Carbon targets.

An Energy and Sustainability Statement assesses physical, social, economic and environmental effects in relation to sustainability objectives. It sets out the measures that could be incorporated across the lifecycle of the scheme to ensure high levels of performance and long-term viability and ensure compliance with planning policy.

Energy use would be minimised through good design in accordance with the Energy Hierarchy, improving the efficiency of the fabric and using passive servicing.

The Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions (Part L 2010). The development would achieve an 11% improvement on Part L 2021. If the development was assessed using Part L 2010 there would be an improvement of 54%. A BREEAM pre-assessment demonstrates that the proposal can achieve an 'Excellent' rating.

The building would be all electric with Air Source Heat Pumps generating some low carbon heating and hot water. The infrastructure would allow the scheme to become zero carbon over time as the grid decarbonises.

The effects of the proposal on climate change would be mitigated wherever possible as directed by Policy EN8 (Adaptation to Climate Change). As a requirement for several of the BREEAM credits, climate change would be considered in the design of the building envelope and services and the proposal would be future proofed where reasonably possible.

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

The strategic approach for the proposal is longevity and adaptability and a Whole Life Cycle Analysis (WLCA) assessment has been carried out. The proposal would follow circular economy principles, through the use of recycled materials where possible, with the potential for design for disassembly has reduced the embodied carbon. Adoption of principles set out in BREEAM concerning waste and monitoring of material transport will further assist the overall impact.

The waste from demolition, excavation and construction would be monitored and reused on site where possible. Construction materials with a higher recycling rate would be prioritised. The applicant aspires to achieve the RIBA 2030 embodied carbon target. This would be addressed during design development when detailed information is available when the materials used could increase the embodied carbon figure.

The following measures would be included to minimise levels of embodied carbon at each design development stage as part of a Reduction Strategy.

- Materials arising from remediation works shall be reused or recycled where possible.
- Excavation would be minimized which limits energy use in site preparation.
- Materials will be sourced locally, with use of Environmental Product Declarations (EPD's) where possible.

- Use of precast concrete and recycled steel which can be recycled after use.
- Materials used to be recycled where possible. The steel frames used for SFS can be recycled at end of use.
- The terracotta and brick facades can be crushed and reused for new cladding.
- The services strategy is to use VRF for heating/cooling and an ASHP for the DHW which can be recycled at end of use
- The design would reduce material demands and enable materials, products and components to be disassembled and re-used.
- Identify opportunities for managing as much waste as possible on site.
- Provide adequate and easily accessible storage space and collection systems to support recycling and reuse.
- Predict how much waste the proposal is expected to generate and how and where the waste will be managed in accordance with the waste hierarchy.
- Performance monitoring and reporting.

The proposal would make a positive contribution to the City's carbon reduction objectives and is, subject to the ongoing decarbonisation of the grid is capable of becoming Net Zero Carbon in the medium to long term whilst achieving significant CO2 reductions in the short term.

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

One of the main issues to consider is whether a 15 storey building is appropriate in this location and this needs to be assessed against the relevant policies in the NPPF and Core Strategy Policies that relate to Tall Buildings, and the criteria set out in the Guidance on Tall Buildings published by English Heritage and CABE.

### **Principle of height, massing and design**

The Core Strategy requires tall buildings to create a unique, attractive, and distinctive City. They should enhance the character and distinctiveness of the area without adversely affecting valued townscapes or landscapes or intruding into important views.

The Whitworth Street / Princess Street Conservation Area is to the rear. Many buildings have been converted in a manner which has maintained their character, and they have a high architectural and group value which provides a strong sense of place. They dominate the area and enhance its character.

Land along the rail corridor between Piccadilly and Deansgate station has seen significant growth and development. High-rise developments have been constructed

at Circle Square, Deansgate Square, Great Jackson Street, Cambridge Street, Deansgate Locks and New Wakefield Street.

New development during the past decade has changed Charles Street significantly. Building heights on Charles Street do vary from the more domestic scale of the Grade II Listed Lass'o'Gowie at 2 storeys, Bracken House at 9 storeys, the Maldron Hotel at 14 storeys and Circle Square at 12 to 36 storeys.

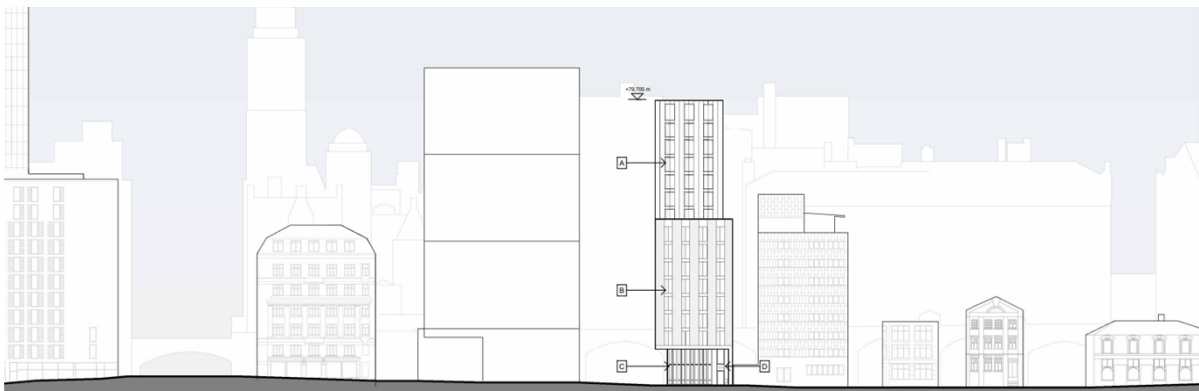
The site has largely been vacant for over 50 years and requires investment. It creates a poor impression and undermines the quality and character of the area. The proposal would use the site efficiently and would enhance the sense of place. It would respond to the massing, proportions, elevational subdivision, colours, and materials of adjacent buildings in a contemporary manner. It would pick up the regular size and rhythm of window openings and establish a plinth level.

The building would step back from Charles Street and would reflect the stepping back of the Maldron Hotel. The oversailing onto York Street would allow for greater separation between the proposal and Bracken House. It would have a tri-partite subdivision typical of the larger historic buildings. The materials and fenestration would differentiate the ground floor, the middle, and the top. It would create a sense of enclosure and define the street block.

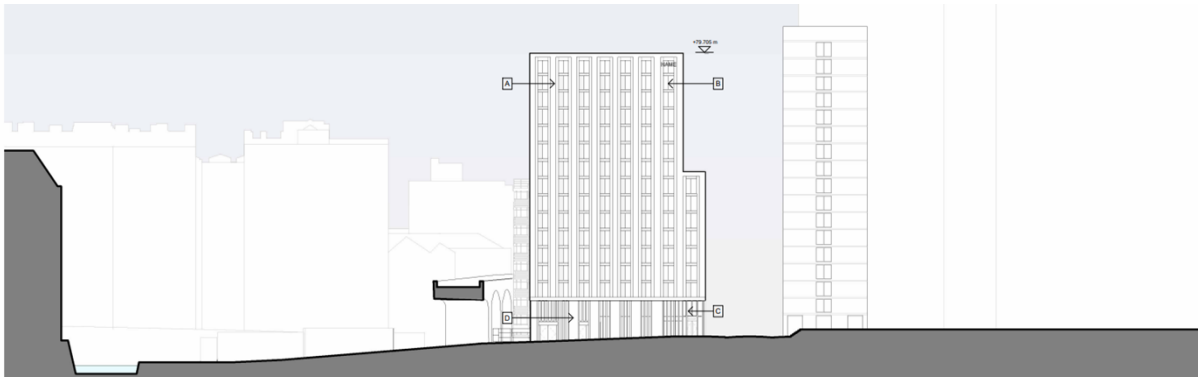
VIEW FROM CHARLES STREET (WEST)



VIEW FROM CIRCLE SQUARE







The proposal would respond to the surrounding context. The regular pattern of bays, deep piers and the mix of material textures and patterning would reflect the character of nearby historic mill buildings would provide interest. A development of this scale is appropriate at this site so long as the impacts on the amenity of local residents and neighbours are acceptable.

### Architectural Quality

VIEW FROM CHARLES STREET (WEST)



## VIEW OF ENTRANCE AT DUSK



The key factors to evaluate is the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures. Developments of this scale should be an exceptional and well considered design response. The quality of the detail, including window recesses and interfaces between the different components are key to creating a successful scheme.

The Core Strategy policy on tall buildings seeks to ensure that they complement the City's existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive City. It identifies sites within and immediately adjacent to the City Centre as being suitable for tall buildings. The application proposes a high-quality building, with a clearly defined street edge.

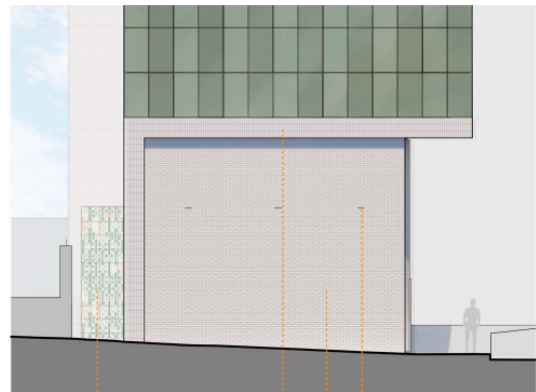
The area contains different forms of architecture, with some red/brown brick being mixed with contemporary buildings in concrete cladding and terracotta. The materials proposed would be a contemporary interpretation of the character, materials and texture found around the site, and are an appropriate contextual choice would deliver an appropriate level of quality.



York Street elevation

CHARLES STREET ELEVATION

NORTH ELEVATION



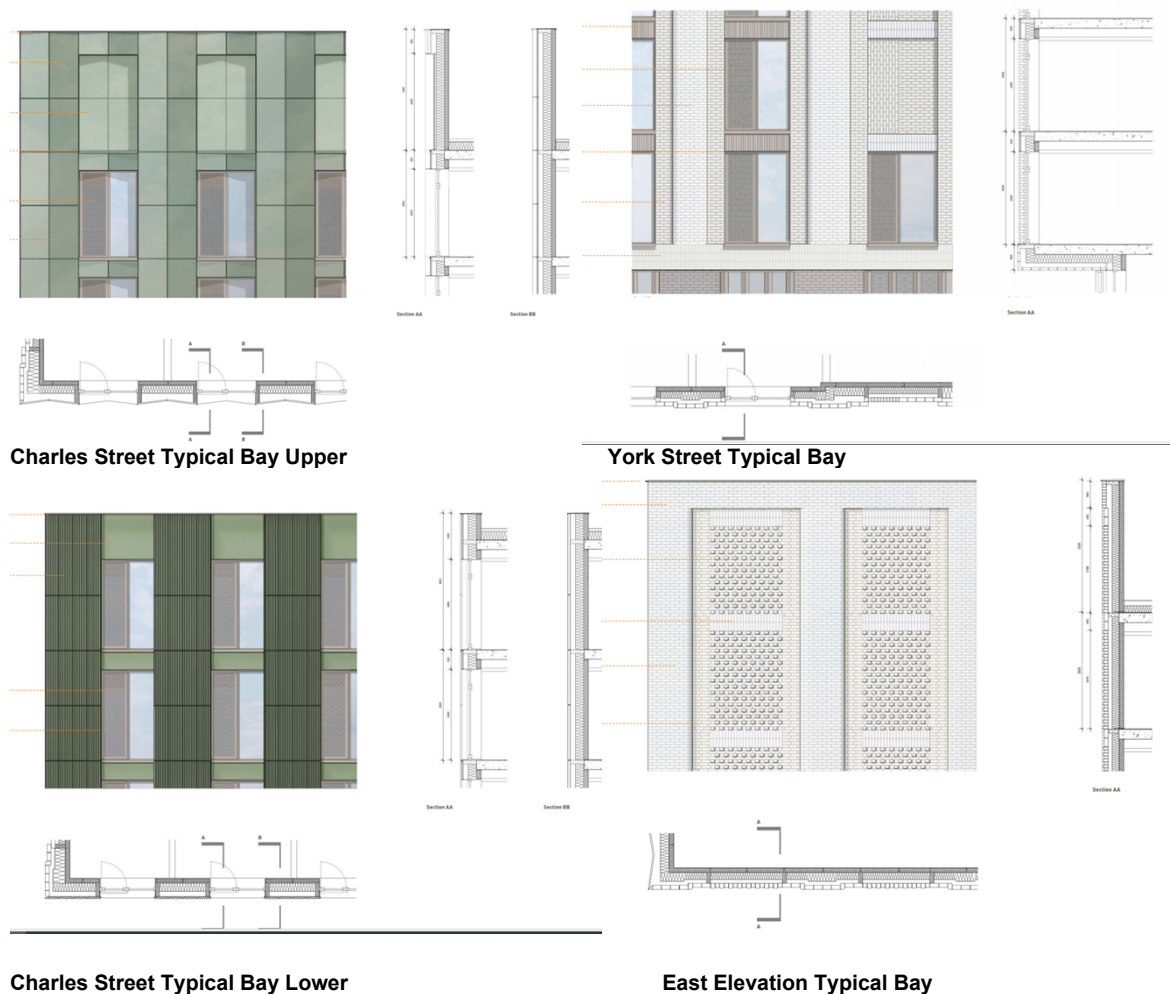
The elevations facing York Street and Bracken House would express function with a grid of light buff glazed brick and brick detailing. The western elevation to York Street would have windows. On the eastern elevation windows would be substituted with brick detailing.

The elevation to Charles Street would include terracotta panels and cladding with detailing and textures and would be divided into three sections. The upper volume would include wide panel vertical pleated tiles. The lower volume would include a finer grain of detailing to be read at human scale and the base would provide visual interest to the street scene. The northern elevation, visible from the Whitworth Street Conservation area, would follow the similar tones and proportions to the upper volume of Charles Street, with flat terracotta panels in vertical pleated effect.

Perforated aluminium panels would wrap around ground floor elevations to York Street and Charles Street. These decorative panels would open during the summer months into amenity spaces and activities. The patterned ventilation panels would deliver a finer level of detailing, akin to that found in the adjacent Victorian and Edwardian buildings. The panels provide texture and shadows in the accommodation and provide access to fresh air thus performing an important role within the ventilation strategy.

The Charles Street and the north elevation would be green glazed terracotta. This would have reflectivity, texture and a non-uniform finish.

The York Street and the eastern elevation would be a buff-cream wire cut and glazed brick. It would include details such as soldier courses and English bonds with glazed brick headers. Glazed brick would provide reflectivity and bring difference and hierarchy in the brick areas. The window frames, perforated ventilation panels, copings, cills and trims would be a light bronze anodised aluminium. A light bronze colour would complement the buff-cream brickwork. The spandrels would be a triangular profiled glazed terracotta, colour matched with the metalwork.



The primary entrance would be at the corner of York Street and Charles Street, and a new nursery entrance would be provided from Charles Street creating active frontages onto both routes.

A condition requiring samples of materials and details of jointing and fixing details and a strategy for quality control would be attached to any permission granted.

It is considered therefore, that the proposals would result in high quality building that would be appropriate to its context.

### **Credibility of the Design**

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the design, procurement and construction process. The applicant intends to retain, own and operate the proposal and recognises the importance of quality and attention to detail. The design team recognises the high-profile nature of the proposal and the range of technical expertise provided indicates that the design is technically credible. The design team is familiar with the issues associated with high quality development in city centre locations, with a track record and capability to deliver a project of the right quality.

### **Contribution to public space and facilities**

The walled garden and perforated screens would provide animation and activity on Charles Street. This would improve safety and passive surveillance and help to revitalise the area. It would enhance connections along Charles Street between First Street, Circle Square and the ID SRF Area.

### **Relationship to Transport Infrastructure, Cycle Parking Provision and Servicing and Deliveries**

All sustainable transport modes including trains, trams and buses are nearby. The site has a Greater Manchester Accessibility Level (GMAL) of 8 which is very high. The public realm improvements would enhance links to sustainable transport. The impact on the transport network would be minimal and a Travel Plan would make occupiers aware of sustainable options.

There is a 240 space car park on York Street and a 1000 MSCP's at Circle Square with 38 accessible spaces. The nearest Car Club bay is on Samuel Ogden Street. An accessible parking space would be provided on York Street. The nearest on-street disabled parking is a 350m away.

There would be 28 internal cycle spaces and 3 cycle stands at the junction of York Street and Charles Street. The closest cycle hire stands are on Princess Street and Oxford Road.

A loading bay and an accessible parking space would replace two parking spaces on York Street for servicing, refuse collection and drop off. This would be secured through a Traffic Regulation Order. The loading bay would not interfere with access to adjacent properties. Deliveries and taxis would also use the loading bay. A high proportion of takeaway deliveries are via bikes/cargo bikes which can be parked in the existing cycle stands on York Street which avoids using the loading bay.

Residents would be asked to book an arrival slot and confirm their travel arrangements and number of people travelling with them. It has been estimated that c. 40 students would arrive per day on the Saturday and Sunday. As a worst-case scenario, it is assumed all would arrive by car / taxi. 12 slots would be available per hour over a 12-hour period based on two vehicles utilising the proposed loading bay on York Street for 10 minutes. On-site baggage handlers with trolleys would help to

unload belongings and take luggage to the reception area/relevant room. Staff will be on-site 24 hours a day.

Additional staff would ensure move in is effectively managed. This would include traffic wardens, baggage handlers, student ambassadors, front of house assistants, etc. These would support the full-time property resource of General Manager, Team Leader, Guest Experience Managers, Maintenance, Night Concierge, Housekeeping and Maintenance. The additional staff will be resourced to cover the busier times between 8am and 8pm. There would be no arrivals between 23.00 and 08.00

Onsite traffic wardens will ask all car drivers to relocate their vehicle to a Car Park once belongings have been dropped off. Cars will not be left unattended at any time. Staff would assist those arriving alone by car to unload their baggage which would be safely whilst the student parks their car.

Check out would be managed in a similar fashion but is a more gradual over a period of days or even weeks.

Conditions would require details of off-site highways works including the need to secure the TRO and deliver the loading bay / parking space prior to occupation and for pavement reinstatements and finishes. The Head of Highways has no objections on this basis and no concerns about adverse impacts from any traffic generated by the proposal.

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

**Design Issues, relationship to context and the effect on the Historic Environment.** This considers the design in relation to context and its effect on key views, listed buildings, conservation areas, scheduled Ancient Monuments, Archaeology and open spaces. The potential heritage impacts on their significance and/or their setting include: Asia House (Grade II\*), the Former Refuge Assurance Company Offices ( Grade II\*) India House (including attached wrought iron gateway linked to Lancaster House) (Grade II\*), Lancaster House (Grade II\*), Lass O' Gowrie Public House (Grade II) Manchester House ( Grade II) and the Manchester South Junction and Altrincham Railway Viaduct (Grade II) and the Whitworth Street Conservation Area. The Rochdale Canal is a non designated heritage asset that could be affected.

The scale is larger than some of the nearby tighter and lower rise urban grain but is consistent with the scale development in the wider area.

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

The effect on key views, listed buildings, conservation areas, archaeology and open spaces has been assessed. When seen from radial approaches, the density of the city centre skyline is evident. There are historic and larger, modern buildings nearby, but the proposal should not undermine the setting of heritage assets.

A Heritage Assessment used Historic England's guidance on the Setting of Heritage Assets (Historic Environment Good Practice Advice in Planning Note 3, Second Edition). (December 2017) to assess the impacts on affected Heritage Assets.

A Townscape and Visual Impact Assessment (TVLA) was undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd edition, 2013 (Landscape Institute and Institute for Environmental Management and Assessment) (GLVIA3); Townscape Character Assessment, 2017 (Landscape Institute Technical Information Note 05/2017); and Visual Representation of Development Proposals 2019 (Landscape Institute Technical Information Note 06/2019).

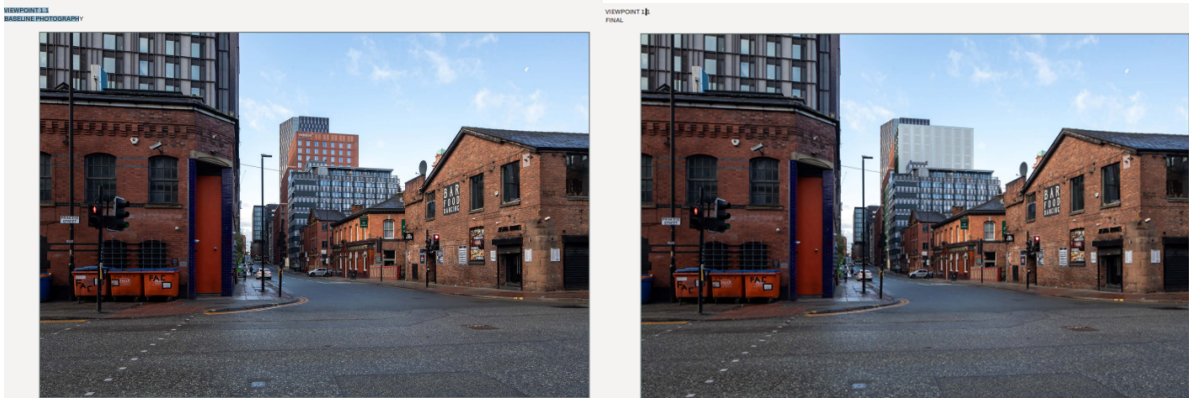
A Zone of Theoretical Visibility (ZTV) was used to understand where the proposal would be visible from. It identified visual receptors and views which could be affected and informed the selection of representative views. Key visual receptors include: Charles Street; Whitworth Street; Hulme Street; and open spaces at Circle Square, arrival at Oxford Road Station and Vimto Garden. Seven views were identified, and an assessment made of the character and quality of each view. Sensitive receptors are residents of Bracken House and pedestrians/ vehicles with views of the site.

The TVLA has included consideration of changes to townscape, changes to urban grain, changes to building heights and changes to site character.



#### View Locations

**Viewpoint 1 from Charles Street at junction with Princess Street, looking west**

**Existing****Proposed**

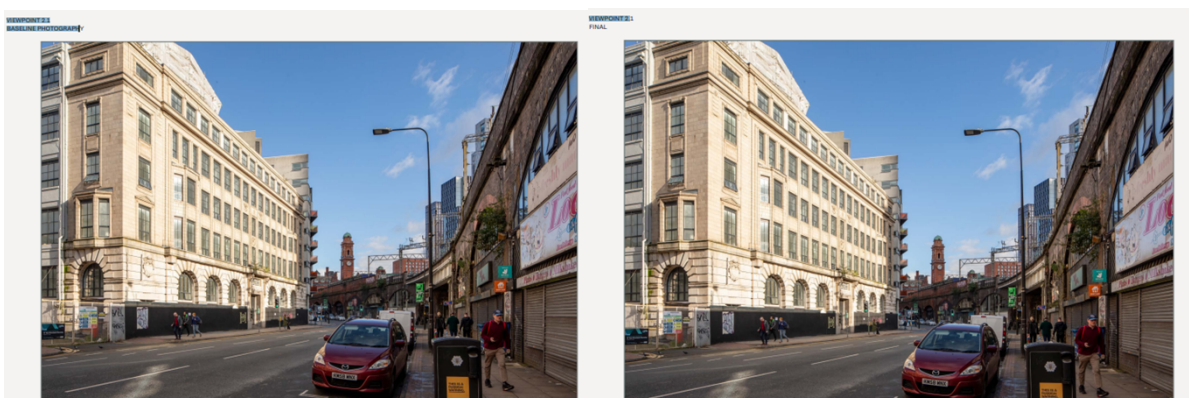
The proposal would be noticeable in views on Charles St. In close range views, it would replace a vacant plot surrounded by a hoarding with a building that responds to the character of its setting and the conservation area.

When approaching from the west the southern and western elevations would be partially visible behind the Maldron Hotel. It would follow a stepping down of the built form west towards Bracken House and the Lass O'Gowrie.

The set back at the 9th storey follows the profile of the Maldron Hotel, continuing the scale of built form on the street. In views from the east, it would be seen above the Lass O'Gowrie and Bracken House. This increase in height and massing would change the views noticeably.

The development would step up between Bracken House and the Maldron Hotel. The materials would reinforce the relationship with the existing buildings and create visual interest. The change would result in beneficial effects in this view.

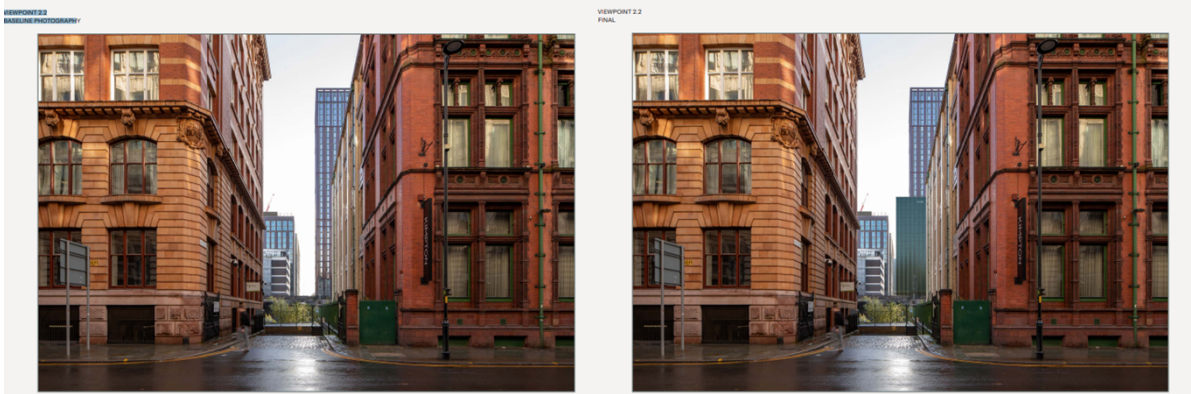
### **Viewpoint 2.1 - from Whitworth Street adjacent to the railway viaduct looking east**

**Existing****Proposed**

This illustrates the view from the western approach to the City Centre

### **View 2 from Whitworth Street through a gap in the built form looking south**





**Existing**

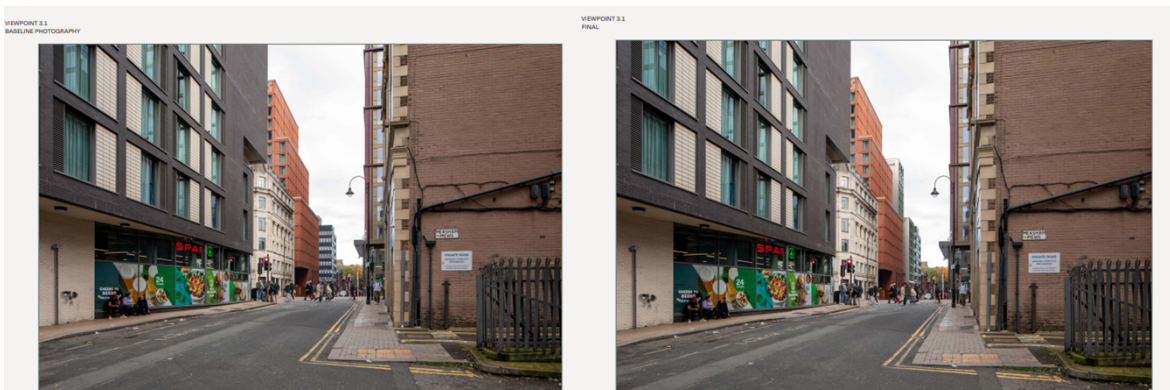
**Proposed**

The above illustrates the view from the Whitworth Street Conservation area where the proposal would be visible in limited locations.

The upper storeys of Circle Square and the Maldron Hotel can be seen and there would be glimpsed views of the upper storey and rooftop of the proposal. The effect would be neutral.

From the road there are limited locations where gaps between buildings allow oblique views where the proposal would be visible beyond the viaduct. It would be seen in the context of other buildings and taller features resulting in neutral effects. From closer range there would be clearer views of the northern elevation of the building. The materials on each elevation would relate well to existing buildings and create visual interest. The change would result in beneficial effects.

**View 3 from the eastern portion of Hulme Street to the west of the junction with Oxford Road, looking east**

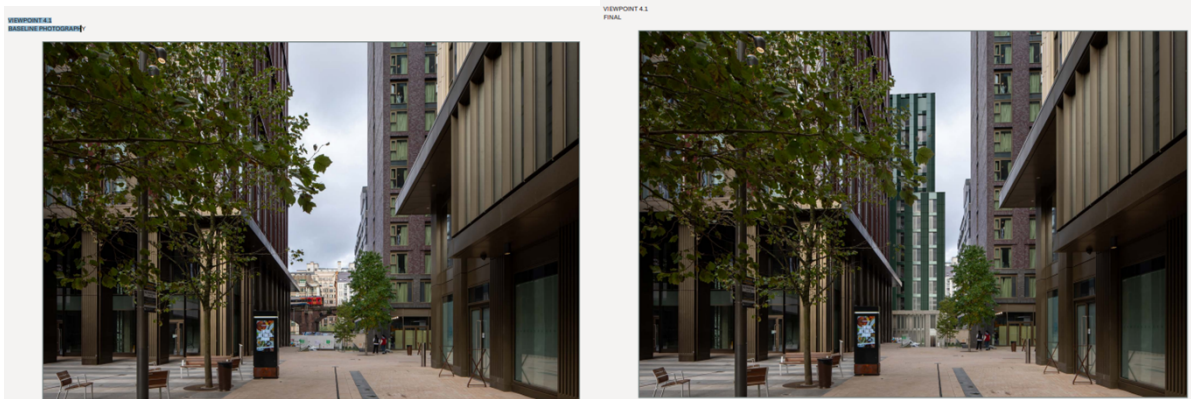


**Existing**

**Proposed**

The above illustrates the view from the west on Hulme Street where the proposal would barely be perceived. It would however be partially visible in the middle distance near Oxford Road. It would be viewed behind the Maldron Hotel and step down to Bracken House and the Lass O Gowrie. The set back at the 9th storey follows the profile of Maldron Hotel continuing the scale to the street. The proposal would add visual interest and result in overall beneficial effects.

**View 4 from the east side of Circle Square, where there are channelled views.**

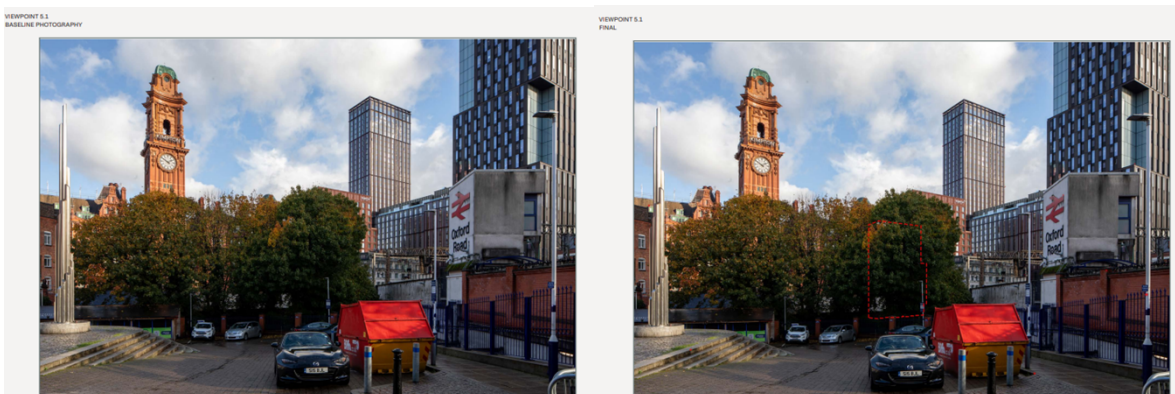


**Existing**

**Proposed**

The majority of the public space is enclosed by built form and in the most part users would not see the proposal. However, it would be seen by people walking along the northeast boundary. The materials and proportions on Charles Street reinforce the relationship with existing buildings and creates visual interest. The change would result in beneficial effects.

**View 5 from the approach and arrival area at Oxford Road station, looking east.**

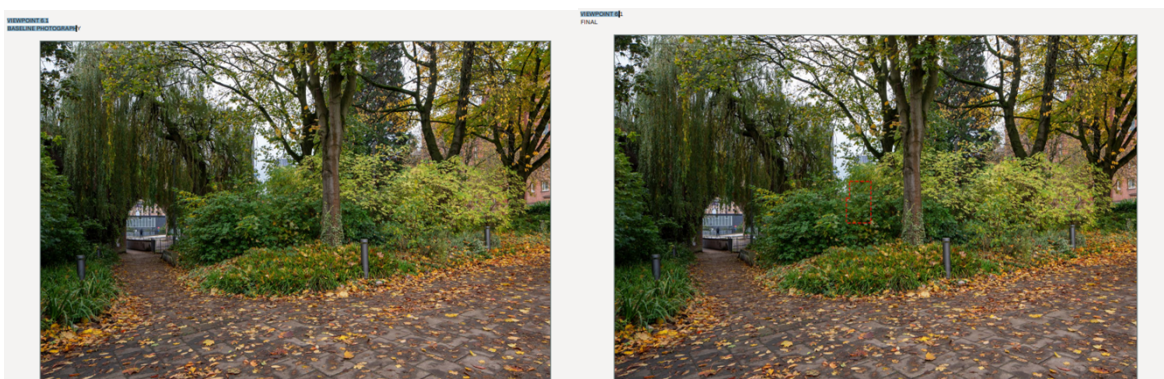


**Existing**

**Proposed**

Illustrates the view from the station. The development would not be visible from the approach road and arrival space at Oxford Road Station.

**View 6 from the Vimto Garden, looking west**



**Existing****Proposed**

The proposal would barely be seen apart from filtered views towards a small portion of the upper storeys and roof top. More of the development would be visible in winter but the change would be marginal. Any glimpsed views would be in the context of existing buildings and surrounding taller features.

**Impacts on residents of Bracken House**

The view from homes with windows facing on to the site towards York Street would experience a large change and open views of the adjoining roofscape would be replaced with close views of the proposal. The eastern elevation would not have windows to protect privacy at Bracken House and the glazed brick detailing would provide some interest. The effects on the residents would be adverse but this is clearly a development site and impacts should be considered in the context of the recent and ongoing regeneration and development in the area where development has maximised the use of vacant sites. Bracken House was converted to residential through permitted development rights and therefore these impacts could not have been assessed by the LPA (application ref no 105328/P3JPA/2014/C1).

**Heritage Impacts**

The site context is largely modern and includes recent tall buildings including Circle Square and the Maldron Hotel. It is previously developed land, and its current form creates fragmentation. Views through the site from Charles Street take in a section of the Viaduct and, beyond this, the Kimpton Hotel and India House.



View through the Site towards MSJAR Viaduct and India House from Charles Street



View north-east along Charles Street and towards Lass O' Gowrie Public House from junction with York Street

The site detracts from the experience of the Viaduct, the Kimpton Hotel and India House from within their wider settings, but its open nature does allow views of the rear of these buildings.

The site is 60m from the Lass O' Gowrie and is seen in kinetic on Charles Street and forms part of a varied townscape. The current car park does not contribute to the significance of the Lass O' Gowrie Public House.

There is limited intervisibility between the site and Manchester House, Lancaster House and Asia House and makes no contribution to their significance.

The site does not contribute to the understanding of the historic development or character of the setting of the Whitworth Street Conservation Area. It is a break in Charles Street and is an unattractive car park. Its openness allows views into the Conservation Area but they do not particularly reveal the significance or character and appearance of the Conservation Area. The site is part of the surroundings of the Conservation Area but does not make a specific contribution to its significance.

Views 1, 2.1, 2.2 and 3. illustrate impacts on Heritage Assets. 3 additional Views have also been included within the assessment. Potential impacts are on setting.

#### Impact on setting of Manchester South Junction and Altrincham Railway Viaduct

The Manchester South Junction and Altrincham Railway Viaduct (MSJARV) is five metres to the north. It can be seen in part from Charles Street, across the site and down York Street. The proposal would reduce these views but many similar glimpsed and dynamic views which are characteristic of its setting would remain. A view of the viaduct would be retained down York Street.

The proposal would be seen with listed buildings from Whitworth Street through gaps between buildings. These views show the urban context of the viaduct and include the 16-storey Maldron Hotel, 9-storey Bracken House and 36-storey Circle Square. The proposal would reinforce the urban context of the viaduct.

The site makes a neutral contribution to the setting and significance of the viaduct. The proposal would partially close a view and would be visible in combination with the viaduct from other locations. However, the setting of the structure is characterised by modern buildings, and the proposal would reinforce the established urban character and sustain the significance of the listed viaduct.



**Additional View 1 - Existing**

#### Impact on setting of Former Refuge Assurance Company Offices

The building is at the junction of Oxford Street and Whitworth Street, 60 m to the north-west and separated by the MSJAR Viaduct and River Medlock. The site allows views of the clocktower. The car park does not contribute to the setting, experience, appreciation or significance of the grade II\* listed building.

The proposal would permanently obstruct this view, but the rear elevations are of secondary importance and the rear of the building and the clocktower would continue to be visible from the surrounding area. The overall character of the setting of the listed building and therefore its townscape prominence would be sustained.

The proposal would be visible in combination with the listed building in views from Whitworth Street and longer distance views on Whitworth Street West. The proposal would be visible to a limited extent beyond the listed building and form part of the established urban background alongside the Maldron Hotel and Circle Square In long distance views from Whitworth Street West. The extent to which it would be visible would not challenge the prominence of clocktower and it would not distract from the architectural interest of the listed building.



#### **Viewpoint 2.1**

The proposal would be a contextual building in the setting of the listed building. It would be read as part of the existing urban context on the south side of the Viaduct which includes modern, tall buildings such as the Maldron Hotel and Circle Square. The proposal would detract from the presence or prominence of the grade II\* listed building, which is principally experienced from Oxford Road and its setting would not be unharmed.

#### Impact on Setting of India House

The site does not contribute to the setting of India House. The proposal would partially obstruct the glimpsed view of the rear elevation of India House from Charles Street which is already partially obstructed by the viaduct and does not reveal its significance to any meaningful extent. The loss of this view would not materially affect the setting and significance of the listed building and the impact will be neutral.



#### **Additional Viewpoint 2. Existing**

The proposal would be visible in combination with India House in views from Whitworth Street and from the east surrounding Asia House. The distance from the listed building and the presence of other modern tall buildings means they are unlikely to be compared directly. They are separated by the River Medlock and the Viaduct. The proposal would be a background element and part of the wider urban context that makes a neutral contribution to the setting and significance of India House. The proposal would not undermine the group value that India House derives from these interrelationships. The impact on the setting and significance of India House would be neutral.

#### **Impact on Setting of Lancaster House**

The proposal would be visible from Lancaster House. Views from the listed building already include tall, modern buildings, including the Maldron Hotel, Bracken House and Circle Square. The upper storeys of the proposal would be visible beyond the viaduct, between Bracken House and the Maldron Hotel and in front of Circle Sq. The building would be seen as part of the urban context to the south of the viaduct and will not affect the listed building's relationship with nearby warehouses. The proposal would have a neutral effect on setting and sustain the significance of Lancaster House.

As a result of the visual enclosure provided by Lancaster House and surrounding buildings, the proposal would not affect key views of the listed building from along Whitworth Street and Princess Street.

#### Impacts on Setting of Asia House

The proposal would be visible in combination with Asia House. The proposal would not affect the relationship between Asia House and nearby warehouses and would not diminish the group value derived from this relationship. The effect would be neutral.

Views of Asia House from Princess Street are contained and the proposal would be visible. The impact on the setting and significance of Asia House would be neutral.

#### Impact on Setting of Manchester House

The proposal would be visible in combination with Manchester House. The views include tall buildings and the Kimpton Hotel. The upper storeys of the proposal would be visible beyond the viaduct. The proposal would not affect the relationship between Lancaster House and nearby warehouses and would not diminish the group value derived from this relationship. The effect would be neutral.

Given this the proposal would have a neutral effect on setting and sustain the significance of Manchester House.

The proposal would be experienced in dynamic view on Charles St in conjunction with the Lass O' Gowrie. The design relates to scale and massing of Bracken House and the Maldron Hotel. The materials in part relate to the dark green painted terracotta signage of the pub.

Views of the Lass O' Gowrie Public House from along Charles Street include modern buildings at Circle Square.



**Viewpoint 1.1****Viewpoint 3.1**

The proposal would reinforce the recent developments on Charles Street. It would be seen at times in conjunction with the Lass O'Gowrie but would be perceived as a background or peripheral element and the impact on its setting and significance would be neutral.

**Impact on the Whitworth Street Conservation Area**

The proposal would be visible in views both into and out of the Conservation Area. Glimpsed views from Charles Street would be partially obstructed but are not particularly significant. A glimpsed view from Charles Street across York Street and into the Conservation Area would be lost, but the more significant uninterrupted view of the rear elevations of the former packing warehouses and Former Refuge Assurance Company Offices from within the Conservation Area boundary would be unaffected. This visual impact is therefore considered to have a neutral effect on the significance of the Conservation Area.





### **Additional Viewpoint 3**

The proposal would be visible in occasional glimpsed views from Whitworth Street and Princess Street. These views include a varied urban townscape which includes modern buildings such as Bracken House, the Maldron Hotel and Circle Square. The proposal is of a similar scale, form and architectural character. It would sustain the character of views from within the Conservation Area and maintain the ability to appreciate the relationship between the former warehouses and their group and townscape value.

The proposal would be visible from other locations in the Conservation Area but would be occasional glimpses. Views out contain modern, tall buildings and the proposal would be experienced as a peripheral or background element that reinforces the urban context of the Conservation Area. Its impact would be neutral and would sustain the significance of the setting of the Conservation Area

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

Based on the above assessment, it is concluded that there would be no harm to the significance of the heritage assets and that the Proposed Development would be a positive addition to their setting. The setting of adjacent listed buildings would remain distinctive and setting of the Whitworth Conservation Area would not be fundamentally compromised.

The Proposed Development will (in respect of these assets) meet the objectives of Paragraphs 203, 205 and 212 of the NPPF and the requirements of s.66 (1) of the

Planning (Listed Buildings and Conservation Areas) Act 1990 can be satisfied if full planning permission is granted by MCC.

### **Effect on the Local Environment/ Amenity**

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

#### **Daylight, Sunlight and Overshadowing**

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

An assessment of daylight, sunlight and overshadowing has used specialist computer software to measure the amount of daylight and sunlight available to affected windows. The assessment made reference to the BRE Guide to Good Practice Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2022). This is not mandatory but is generally accepted as the industry standard and helps local planning authorities consider these impacts. The guidance does not have 'set' targets and is intended to be interpreted flexibly. There is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of light to buildings can be inevitable.

The daylight at Circle Square Blocks 5 and 6, Bracken House and Circle Square Plot 9 could be affected. Sunlight Impacts have been modelled for sensitive windows i.e. living rooms or living kitchen diners facing within 90 degrees due south and sunlight levels within Bracken House could be affected.

The assessment has scoped out other homes due to the distance and orientation from the site. The BRE Guidelines suggest that homes have the highest requirement for daylight and sunlight and states that the guidelines are intended for use for rooms where natural light is required, including living rooms, kitchens and bedrooms.

Consideration should be given to para 129 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site; as long as the resulting scheme would provide acceptable living standards. The guidance suggests that hotels and student accommodation have a lower sensitivity to changes in daylight.

Where a building is close to a common boundary, a higher degree of obstruction may be unavoidable and is common in urban locations. VSC levels diminish rapidly as building heights increase relative to separation. As such, the adoption of the 'standard target values' should not be the norm in a city centre as this would result in very little development being built. The BRE Guide recognises that in such circumstances, 'alternative' target values should be adopted.

The Sunlight and Daylight Assessment has set out the current site condition VSC levels and how the proposal and cumulative developments would perform against the BRE targets.

### Daylight Impacts

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

VSC considers how much Daylight can be received at the face of a window by measuring the percentage that is visible from its centre. The less sky that can be seen means less daylight is available. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27% but reductions or changes of 0.8 times the former value would not be appreciable by an occupant.

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

To assess whether the daylight amenity within a neighbouring room is likely to be adversely affected by a proposal, the BRE recommends an assessment of undertaken using the results of the above to assess the BRE and NSL targets in combination. This assessment has also been carried out to demonstrate the impacts of the proposal.

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

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

### Sunlight Impacts

For Sunlight, the BRE Guide should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care

should be taken not to block too much sunlight. The BRE guide states that sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March; receives less than 0.8 times its former sunlight hours during either period; and, has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours (APSH).

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

### Sunlight Impacts

For Sunlight, the BRE Guide explains that tests 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 notice a reduction of this magnitude. The requirements for minimum levels of sunlight are only applicable to living areas.

### BRE Targets

As set out above the Guidance states that a reduction of VSC to a window of more than 0.8 (20%) times or of NSL by 0.8 times (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 0.8 times (20%) are considered to be acceptable levels of tolerance.

The BRE compliance targets referred to below are aligned with the above levels of reduction.

### Magnitude of Change

Conclusions about magnitude of change are based in the following: Large impacts occur when there is a reduction in excess of 40%, medium between 30 and 40% and small between 20 and 30% above the existing baseline.

### Daylight Impacts

With the development in place and the results weighted to make the allowance for the 20% reduction:

#### Circle Square Blocks 5&6

Blocks 5&6 129/182 (70%) windows would meet the BRE Target. Of the remaining windows there would be a minor impact on 27 (15 %), medium impact on 24 (17%) and a significant impact on 2 (1.4%). 122/140 (87%) of rooms would meet with the BRE Alternative NSL target. Of the remaining rooms there would be a minor impact on 9 (6%), moderate impact on 7 (5%) and major impact on 2 (1.4%).

Looking at the VSC and NSL assessments in combination as per the BRE Guidance any changes in daylight amenity (VSC & NSL) to 84 of the 140 rooms would be fully BRE compliant. The magnitude of VSC and/or NSL change within 31 of the remaining 56 rooms would be small.

8 of the remaining 25 rooms have at least 2 windows. As the baseline position is so low, the proposal could result in noticeable changes in the amount of sky that can be seen from 1 window in each room. Changes to the other windows would be BRE compliant (negligible). As only one windows would be adversely affected, changes in NSL would be BRE compliant (negligible) and between 74% and 88% of the room areas will continue to be able to see the sky. Therefore, the magnitude of change in these 8 rooms would be small.

10 of the remaining 17 rooms are bedrooms, which all have, by virtue of their usage, a lesser requirement for daylight amenity. The proposal would result in the windows to 10 bedrooms experiencing changes in VSC which are medium in magnitude and changes in NSL which are negligible to small. In view of the usage of these 10 rooms, the overall magnitude of change to the daylight amenity within these 10 bedrooms is considered to be small.

The remaining 7 rooms are all combined lounge kitchen dining rooms whose windows will experience VSC changes which are medium and NSL which range from negligible to large in magnitude. The overall magnitude of change to the daylight amenity within these 7 rooms is considered to be medium.

Given the level of sensitivity of Circle Square Blocks 5 & 6 and the isolated number of rooms which will experience changes in daylight amenity the overall magnitude of change to the daylight amenity in this building is considered small resulting in a minor level of long-term adverse daylight effect upon residents in this property.

#### Bracken House

1/46 (2%) of windows would meet the BRE Target. Of the remaining windows there would be a medium impact on one window (2%), and major impact on 44 (96%) windows. 9/44 (20%) of rooms would meet with the BRE NSL target. Of the remaining rooms there would be a minor impact on 1 (2.3%) and major impact on 34 (77%).

The site's current open nature creates an artificially high baseline' for surrounding buildings, which have high levels of sunlight and daylight. The majority of the combined VSC & NSL changes caused by the proposal would be medium to large.

Overall, the magnitude of change would be high resulting in a moderate level of direct, permanent, long-term adverse daylight effect on residents.

### Circle Square Plot 9

87/96 (91%) windows would meet the BRE VSC Alternative Target. Of the remaining windows there would be a minor impact on 7 (7%), medium impact on 2 (2%). 89 (93%) of rooms would meet with the BRE Alternative NSL target. Of the remaining rooms there would be a minor impact on 4 (4%), medium impact on 2 (2%) and a significant impact on 1 (1%).

Looking at the VSC and NSL assessments in combination as per the BRE Guidance, change in 8 of the remaining 13 rooms would be small. The remaining 5 rooms are all studios whose windows experience VSC changes which are negligible to medium in magnitude with the rooms experiencing changes in NSL which range from negligible to large. The overall magnitude of change to the daylight amenity within these 5 rooms is considered to be medium.

Given the level of sensitivity of Circle Square, Plot 9 and in view of the isolated number of rooms which will experience changes in daylight amenity which are medium in magnitude, the overall magnitude of change to the daylight amenity in this building is considered small resulting in a minor direct, permanent, long-term adverse daylight effect upon this property.

### Sunlight Impacts

With the development in place and the results weighted to make the allowance for the 20% reduction:

### Bracken House

A total of 46 windows serving 44 rooms were assessed for sunlight within this property. The changes in sunlight amenity to all of the 44 rooms are similar in scale to the changes in daylight amenity for the same reasons.

Given the sensitivity of Bracken House the magnitude of change is considered to be large and there would be moderate permanent, long-term adverse daylight effect upon residents in this property.

### Overshadowing

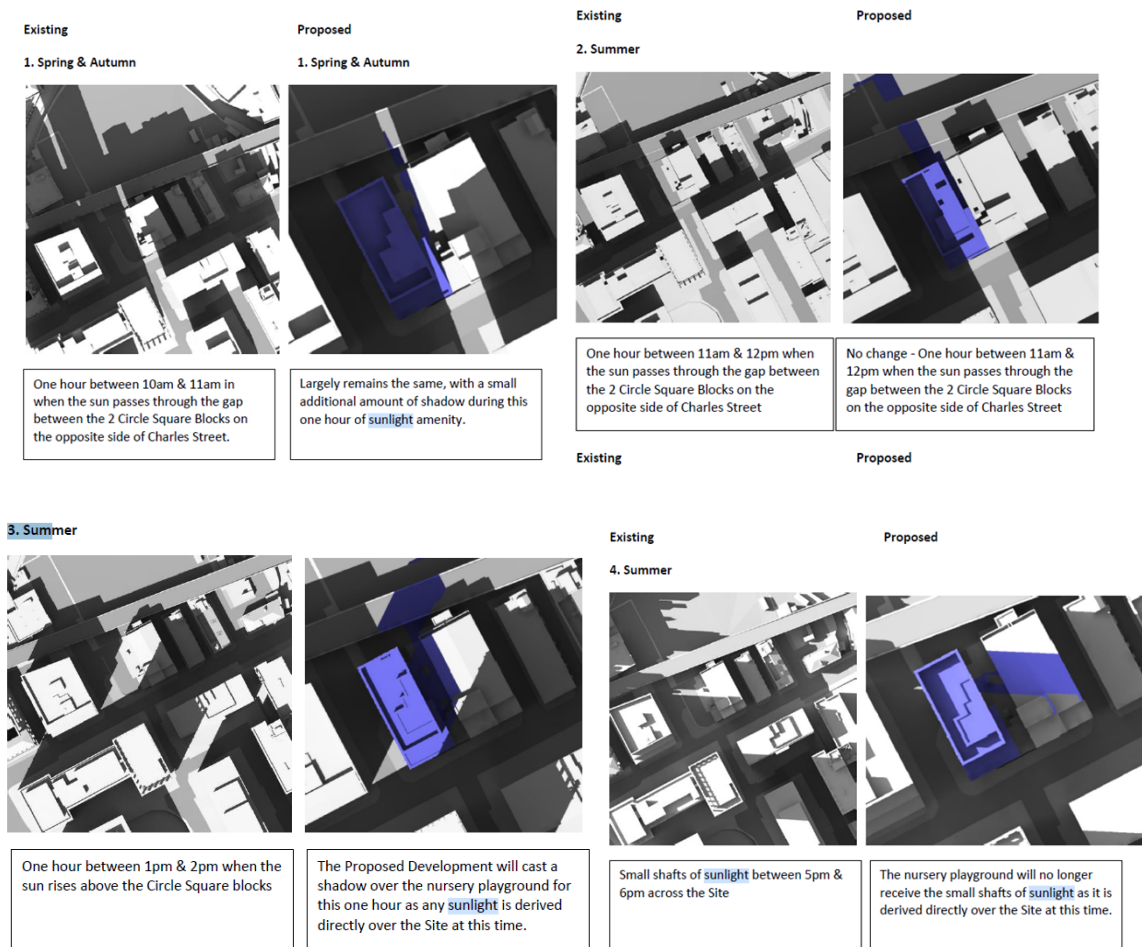
An overshadowing study has been prepared in-line with BRE Guidance. The BRE guide addresses overshadowing to gardens and open spaces only. Open spaces should retain a reasonable amount of sunlight throughout the year and the Guidance recommends that to appear adequately sunlit throughout the year, at least 50% of a

garden or amenity area should receive at least two hours of sunlight on the 21st March.

If as a result of development an existing garden or amenity area does not meet this target and the area which can received 2 hours is not more that 0.8 times of its former area receiving two hours of sunlight, then the loss of sunlight would be not be noticeable.

There will be no change to overshadowing levels to the play area during the winter (when the Nursery’s outdoor play area currently receives no sunlight), or during the summer between 11am & 12pm.

The images below show the existing levels of overshadowing, and the impact of the proposed development on these levels (as described above).



During winter the play area gets no sunlight as the sun is too low in the sky.

### Sunlight, daylight and Overshadowing Conclusions

Some impact is inevitable if the site is to be redeveloped to a scale appropriate to its city centre location. The following are important considerations:

- Bracken House was converted from offices to residential under permitted development rights;
- Buildings that overlook the site have benefitted from conditions that are relatively unusual in a City Centre context;
- It is generally acknowledged that when buying/renting properties in the heart of a city centre, that there will be less natural daylight and sunlight in homes than could be expected in the suburbs;
- High density development is not unusual in the City Centre;

It is considered that the impacts on Bracken House are acceptable in a city centre context.

#### Privacy, Overlooking and Safeguarding

There would be no windows facing Bracken House. This would prevent overlooking of windows in Bracken House and safeguarding issues in relation to the Nursery.

#### Wind

Changes to the wind environment can impact on how comfortable and safe the public realm is. If changes cannot be designed out, they should be minimised by mitigation measures. A Wind Microclimate report focused on the impact on people using the site and surrounding area. This has been modelled using Computational Fluid Dynamics which simulates the effect of wind and is an acceptable industry standard alternative to wind tunnel testing, combined with adjusted meteorological data from Manchester Airport. The assessment used the Lawson Comfort Criteria (which seek to define the reaction of an average pedestrian to the wind). The Lawson Criteria are well-established in the UK for quantifying wind conditions in relation to build developments and, although not a UK 'standard', the criteria are recognised by local authorities as a suitable benchmark for wind assessments.

The sensitive receptors were identified as those using the Nursery playground, users of Symphony Park and Nobel Way in Circle Square, nearby external seating areas, building and off site entrances and nearby bus stops. The playground is considered to be highly sensitivity to strong winds. General thoroughfares are of medium sensitivity to pedestrian comfort, as users are not expected to dwell for significant periods in specific regions. Bus stops, building entrances and amenity spaces are of high sensitivity to pedestrian comfort. Under construction consents within 400m radius were included, which is the UK industry standard for capturing local features which might be affected.

The following local consented schemes were included in the cumulative assessment, but not the baseline: Hotspur Press (120635/2018) and Hulme Street (121252/2018). The Baseline used was for the existing building on site, with the existing surrounds (including any planning consented schemes which are under construction at the time of submission).



The assessment concludes that there are no wind safety risks. Ground level wind conditions would be suitable for the intended use (or retain the existing baseline conditions) for all thoroughfares, existing building entrances, proposed entrances, bus stops, spill out seating areas. Conditions around the site will not be impacted by the inclusion of consented cumulative schemes.

Adjacent amenity spaces have been targeted to be suitable for a mixture of sitting and standing in summer. The proposal would slightly reduce wind levels for the Nursery's outdoor play space during the winter, and wind levels would remain the same during the summer.

The proposal would create slightly windier conditions on Charles Street in winter and summer but it would remain entirely suitable for walking and standing. Wind speeds on York Street would be reduced.

### **Air quality**

There are homes, businesses, a nursery and its play area and Symphony Park in Circle Square which could be affected by construction traffic and dust.

The site is in an Air Quality Management Area (AQMA) where air quality is known to be poor because of surrounding roads. Emissions from the railway line and an adjacent commercial garage could impact on future occupiers. As such, occupiers could experience poor air quality and vehicles travelling to and from the site could increase pollution levels in this sensitive area.

An air quality assessment (AQA) has considered changes to air quality during the construction and operational phases including impact on the nursery and play area. This is supplemented by a Dust Management Plan.

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

Construction activities could result in nuisance and or adverse health effects due to dust deposition, resulting in the soiling of surfaces; visible dust plumes and elevated PM10 concentrations from dust-generating activities on site.

The assessment of the air quality impacts of 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>) at key local locations. The magnitude and significance of the changes have been referenced to non-statutory guidance issued by the IAQM and Environmental Protection UK (EPUK). Both the construction and operational impacts of the development on air quality have been considered.

The AQA confirms that mitigation measures are required during construction to minimise dust impacts as without mitigation measures, construction activities could

cause nuisance and/or adverse health effects due to dust deposition resulting in the soiling of surfaces; visible dust plumes and elevated PM10 concentrations from dust.

The Dust Management Plan (DMP) and the CEMP set out measures that would reduce dust. The DMP specifically recognises the nursery and play area as sensitive to construction dust, particularly the outdoor play space. The contractors would implement measures to ensure it is protected from dust, consistent with measures applied in other comparable situations where construction lies close to sensitive uses.

Proposed mitigation included the following:

- Dust monitoring equipment, equipped with warning sirens, would be in place at the corner of the hoarding at the junction of Charles Street and York Street and at the Nursery.
- The area would be monitored throughout construction to ensure any issues arising are identified quickly, and any further necessary mitigation put in place.
- Mitigation would ensure as far as possible that agreed limits are not breached and it would only be in a worse case scenario that this could occur. In this event those activities would cease until revised methodology has been produced which demonstrates dust levels can be achieved and only then would activities recommence.
- The Nursery would be fully screened off during construction, involving a full scaffold enclosure with both debris netting and monaflex sheeting, protecting the area from dust migration.
- Fencing, barriers and scaffolding would be kept clean using wet methods.
- Materials that could produce dust would be removed from site as soon as possible.
- All vehicles would be well maintained, engines would be switched off when stationary with no idling.
- Equipment for cutting, grinding or sawing would be fitted with or used in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. local exhaust ventilation systems.
- An adequate water supply would be maintained for effective dust/particulate matter suppression/mitigation. Chutes and conveyors would be enclosed and skips covered.
- Drop heights from conveyors, loading shovels, hoppers and other loading would be minimised or handling equipment would be used and fine water sprays would be used on such equipment wherever appropriate.

- Equipment would be readily available to clean any dry spillages and clean up as soon as reasonably practicable using wet cleaning methods.

The full and final details of all dust management measures would be agreed through a condition based on initial background readings at monitoring locations. This baseline measurement would then be used as the level at which the dust monitors will be set within the Nursery's outdoor play area which will be continually monitored. These on site practices should ensure dust and air quality impacts are not significant including within the play area. Any agreed measures should remain in place for the duration of the construction period.

The ventilation strategy would ensure that heating and cooling can take place without the need for windows to be open, with the exception of rapid ventilation to bedroom windows via casements behind perforated panel.

The impacts on air quality once complete would not be significant. Pollutant concentrations at the façades would be within the relevant health-based air quality objectives. Occupants would be exposed to acceptable air quality and the site is deemed suitable for its proposed future use. There will be no emissions from the development, as it utilises an all-electric building services strategy.

28 cycle spaces are proposed. An Interim Travel Plan includes measures that promote the use of sustainable transport modes. All these measures would contribute to reducing reliance on the private car and limit adverse impacts on air quality.

#### Noise and Vibration

The impact of noise from adjacent occupiers on future residents and the adjacent Nursery and play area need to be considered.

A Noise Report concludes that with appropriate acoustic design and mitigation, the internal noise levels on completion would be acceptable. The level of noise and mitigation measures required for any externally mounted plant and ventilation should be a condition.

Access for deliveries and service vehicles would be restricted to daytime hours to mitigate any impact on adjacent residential accommodation.

During the operational phase the proposal would not produce noise levels or vibration that would be significant.

Disruption could arise during construction. During construction impacts of noise and vibration can be attenuated to a level which is considered to accord with appropriate guidance with only negligible impacts predicted to arise, with the exception of above ground works which are predicted to be minor. The mitigation measures proposed in terms of noise generations would include:

- All vehicles and mechanical plant would have effective exhaust silencers.

- Lorry engines will be switched off when not in use.
- All machines in intermittent use will be shut down in the intervening periods between works or throttled down to a minimum.
- Items of plant shall be maintained in good workmanlike condition so that extraneous noises from mechanical vibration, creaking and squeaking are reduced to a minimum.
- Occupiers affected by noise or vibration would be notified of the nature of the works, a contact telephone number and address to which any enquiries should be directed.
- Equipment and materials would be delivered, and waste removed during the day/evening time, where practical (shoulder hours of 07.00 to 08.00 and/or 18.00 to 19.00).
- Prefabricated components will be used, where practicable, to avoid onsite fabrication of components.
- Screens surrounding the concrete slabs and proprietary formwork wrapping the stair and lift core to minimise noise break out from concreting activities.
- Acoustic screens would shield metal pipe cutting or concrete cutting on site.
- Attitude of operatives to the making of noise to be addressed, to have an understanding that work activities have an effect on those around not just operatives but residents and the public. This will be achieved through toolbox talks and daily activity briefings.
- All contractors/sub-contractors will demonstrate and undertake best working practices to avoid exceeding noise or vibration limits which have been agreed with Manchester City Council control limits.
- Care will be taken when loading or unloading vehicles, dismantling scaffolding or moving materials etc. to reduce impact noise.
- Noisy plant or equipment will be sited as far away as possible from noise sensitive buildings. Wherever practicable, the use of barriers in the form of acoustic barriers or enclosures will be employed.
- Screening from existing features will be maximised or the use of full or partial enclosures will be employed for fixed plant. Fixed or semi-static plant will be located and orientated away from noise sensitive receptors where feasible to do so.

The submitted CEMP also includes monitoring measures to be undertaken, particularly during the noisiest construction activities. The results of the monitoring will be analysed and, where required, further measures will be taken to reduce noise activities to within the agreed noise limits. The noise limits will be set based on the appropriate guidance.

Existing internal noise levels in the Nursery are not known, and therefore an assessment of construction impacts on internal noise levels cannot be confirmed at this stage. A planning condition would require internal noise monitoring to be completed and internal noise levels to be agreed during construction prior to construction commencing.

The applicant and their contractors would work and engage with the local authority and local communities to seek to minimise disruption. A CEMP, as submitted with the application, will be followed to ensure that suitable measures are put in place as part of the construction phase, meaning that noise and vibration levels remain within acceptable limits. A Construction Management Plan should be a condition and would provide details of mitigation methods.

Following mitigation construction noise is not likely to be significant. Acceptable internal noise levels can be achieved with relatively standard thermal glazing and ventilation.

#### TV and Radio reception and Broadband

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 the local reception of television and radio broadcast services.

The proposal is not expected to cause any interference to the reception of digital terrestrial television (DTT) services ('Freeview').

The development may cause very minor interference to digital satellite terrestrial reception (such as Freesat and Sky) in a limited localised area however a range of measures can successfully mitigate this if identified to be necessary following completion of the development. The use of tower cranes could also cause signal disruption in similar areas.

Whilst the possibility of digital satellite television interference exists, the overall risk can be considered to be very low due to the nature of land use in the theoretical signal shadow zone and the lack of standard sensitive receptors in the study area.

The proposal is unlikely to adversely impact the reception of VHF(FM) radio broadcasts due to the existing good coverage in the survey area and the technology used to encode and decode radio signals.

Mitigation for impacts from tower cranes could be mitigated by repositioning crane jibs or arms, this could be controlled by a condition.

Post-construction any impact on reception should be investigated. If there are any post construction impact a series of mitigation measures have been identified which could be controlled by a condition.

Existing broadband infrastructure and good connectivity is already available in the area.

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

On balance, it is considered that the applicant has demonstrated that the proposal would meet the requirements of the CABI and EH guidance as well as the policy on Tall Buildings within the Core Strategy and as such the proposal would provide a building of a quality acceptable.

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

**Archaeological issues** – The archaeological interest in the site is negligible and no further investigation is warranted and archaeological matters do not need to be considered further.

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

No designated sites lie within 1 km of the site. However, the site lies within the Impact Risk Zones of Rochdale Canal Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), which lies approximately 5.9 km north-west. The majority of the site has little potential for roosting bats due to a lack of suitable structures or trees. It has no suitability for common bird species due to a lack of suitable foraging or nesting habitat. No invasive species were identified at the site.

There is no requirement for the provision of Biodiversity Net Gain Statement as the application was submitted prior to the legislation coming into effect and it would in any event be exempt given its size and as it is all hardstanding.

Bat and bird roost boxes would be secured via a condition and it may be possible to plant a tree on York Street subject to further investigations. There would be a blue roof at level 09 and green sedum roofs at level 9 and on the roof which would increase opportunities for habitat expansion leading to greater ecological value.

**Waste and Recycling** - A waste management strategy details how waste would be managed. It considers the potential refuse and recyclable waste volumes, including potential organic waste in accordance with the Waste Storage and Collection Guidance for New Developments (GD04), Version 6.00.

The ground floor refuse store would be accessed from York Street. Students would take separate waste in their studios and bring to the waste store. It is expected that

waste would be collected via a private regime. The management staff would move the bins out on collection days to the dedicated area before moving them back following collection.

Environmental Health consider the waste management arrangements to be acceptable subject to it being managed by a Commercial Waste Operator and this arrangement would be secured via a S106 agreement.

**Flood Risk and Sustainable Urban Drainage Strategy (Suds)** – The site is in Flood Zone 3 with a high risk of flooding from the River Medlock and an increase in surface water run off following climate change. The site is in the Core Critical Drainage Area in the Council Strategic Flood Risk

Sites are not precluded from development purely based on risk where that risk can be appropriately managed. Therefore, the City Council do not require a sequential test as set out in the NPPF, but rather, require that at any development classed as 'vulnerable' is situated in the least vulnerable areas.

More vulnerable development is located at the required minimum levels above the 1 in 100 year plus climate change event flood level and therefore the exception test is not required.

The NPPF guidance requires that the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location. Development must be flood resilient and resistant, including safe access and escape routes, residual risk can be safely managed, including by emergency planning and, sustainable drainage systems must be a priority. Space should be created for flooding by restoring functional floodplain and flood flow pathways and by identifying, allocating and safeguarding open space for flood storage; and flood risk should not be increased elsewhere.

Flood risk mitigation has been included and information obtained from the Environment Agency has informed the layout and level of the proposal. Mitigation includes flood compensation including the location of less vulnerable uses at ground floor level.

Further mitigation would comprise flood water displacement and compensatory volume with a void under the ground floor slab and cladding around the building envelope has flood vents to allow flood waters to pass through the undercroft unimpeded.

The soffit of the ground floor slab would be above the 1 in 100 year flood level. The ground floor would allow flood waters to enter via flood vents, however a small area of approximately 10m x 8m for the lift shafts and M&E would be flood proofed. The ground floor would be used for less vulnerable uses.

The surface water drainage strategy has followed the hierarchy of drainage solutions. Sustainable Drainage Systems (Suds) would be implemented where possible to enable discharge, volume and quality control of surface water runoff and a reduction of flood risk on site.

The drainage strategy is to install surface water attenuation. Flows would be restricted to 50% of the existing discharge rate i.e., 2.5l/s for all return periods up to and including the 1 in 100 year + 50% climate change event. Flows in excess of this will be attenuated in a blue roof at level 09, full details to be finalised during the detailed design phase.

The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with policy principles.

The foul and surface water drainage would be kept separate on the site prior to discharge. A separate foul drainage system would connect directly into the public sewer system on York Street.

The Flood Risk Management Team and the Environment Agency have raised no objection on the basis that flood mitigation measures are put in place and final details of a drainage scheme, remediation strategy are agreed.

In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that these flood risk mitigation measures and a drainage plan forms part of the conditions.

### **Aerodrome safeguarding**

There are no safeguarding issues associated with the site.

**Contaminated Land Issues** - A Phase I Desk Study has been prepared based on desktop / published sources, a site walkover and preliminary sampling and analysis.

Whilst the site is vacant a number of contaminative historical industrial operations are known to have taken place on and adjacent to the site.

Further excavations are necessary to fully assess the site. Site mitigation measures may be required but with these in place, the site would present a low risk to people in the future. A condition would require a full site investigation and remediation measures to be submitted and agreed.

No bomb damage is recorded for the site and given the level of building and infrastructure coverage (100%) at the time it is considered highly unlikely that any unexploded ordnance fell on site unnoticed. In addition, the risks are further reduced by the wholesale clearance of the site and surrounding areas in the late 1960s and establishment of newbuilds some of which have since been demolished. For the above reasons the probability of a UXO encounter has been reduced to Low to Very Low.

**Accessibility/ Inclusive Access**– The design has sought to avoid discrimination regardless of disability, age or gender by, wherever possible. The proposal would be fully accessible. There is level access into the building entrance lobby off Charles Street. All floors would be accessible by lift. There would be a disabled parking space



provided as part of the proposals and there is a further space 350m from the site. There are 38 disabled parking spaces in the Circle Square MSCP.

6 student rooms (5%) have been designed as accessible rooms 2 would be fitted out on completion with the remaining 4 suitable for adaptation on demand. The layout and fitout of these rooms will be designed to comply with the relevant guidance including Approved Document M. All accessible rooms are located along wheelchair accessible routes from the vertical circulation cores, with 1300mm wide in communal corridors.

**Fire safety** - The HSE has not raised any concerns but has made a number of comments. Government advice is very clear that the review of fire safety at gateway one through the planning process should not duplicate matters that should be considered through building control. The issues raised in this instance are matters that should be addressed through building control and are not land use planning issues. The applicant has responded to these comments and the issues are being considered early in the design process as a result of the consultation at Gateway one. Fire Safety measures in relation to site layout, water supplies for firefighting purposes and access for fire appliances is addressed in the Fire Safety Report and subsequent supplementary information will be a condition.

On this basis it is considered that that there are no outstanding concerns which relate to the remit of planning as set out in the Fire safety and high-rise residential buildings guidance August 2021.

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

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

### **Response to Objectors Comments**

The majority of the points raised by objectors are covered above however the following is also noted:

- Independent secure access to internal and external play space **is** an OFTSED / Early Years Foundation Stage (EYFS) Guidance requirement but independent access to the Nursery is not .
- The provision of a safe outdoor play space is not mandatory requirement. If external playspace is not available, outdoor activities must be planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions). Providers must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments).

- The provision of an alternative play area on Euro Car Park during construction works would not need to be signed off by Ofsted. The provider would need robust risk assessments and procedures to show how they keep children safe (for insurance and Ofsted) and how they can ensure children can play outside daily and safely.
- The applicants have offered to investigate the provision of a ramp from Charles Street during construction. They would also look to reinstate the new ramped access point as early as it would be safe to do so.
- Through direct discussions with the Nursery the following measures have been offered which could be incorporated into the CEMP if agreed with the Nursery:
  - noisy and disturbing survey/work practices and drilling works would cease during children's sleep time at the nursery (between 12 and 2.30pm).
  - temporarily move the outdoor play area if this is a viable solution for the Nursery (this offer has currently been declined by the Nursery).
- This a brownfield development site and any development of this site could cause the same or similar impacts to neighbours during construction, including visibility of the garage.
- The Wind Impact Assessment shows that the proposal would reduce wind speeds on York Street and wind speeds experienced by the staff and customers of the MOT Garage would be calmer.
- Daylight and Sunlight Assessment for impacts on commercial properties is not a requirement of the BRE Guidance.
- Rights of Light are a legal and not a planning issue.
- Notification letters about the application were sent to 1960 properties.
- Pre-application engagement with stakeholders including local residents and businesses by applicants is encouraged by the City Councils Council's Statement of Community Involvement (2018). However, this not a Statutory Requirement. Where they have carried out consultation, we cannot be definitive about the format.
- There is no formal drop off point outside of the Nursery for parents and this is subject to any local parking / unloading restrictions. There would be a loading bay provided as part of the development which could be used for nursery drop offs.

## CONCLUSION

The proposal conforms to the development plan taken as a whole as directed by s38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal would develop an underused poor quality brownfield site. The high quality architecture and materials would make a positive contribution to the street scene and it would achieve a high level of sustainability and reduce CO2 emissions.

The provision of PBSA meets policy H12 requirements and would contribute to the supply of student accommodation close to the universities.

Careful consideration has been given to the impacts on local businesses and any mitigation that needs to be in place to facilitate business continuity.

Flood risk would be mitigated. There would be no unduly harmful impacts from noise, traffic generation, air quality, water management, contamination, or loss of daylight, sunlight and privacy. Where harm does arise, including impacts during construction on the Nursery and its play area and on the MOT garage, it can be mitigated or is of a level that is acceptable in a city centre location and would not amount to a reason to refuse this planning application.

The proposal would be fully accessible. The waste can be managed and recycled in line with the waste hierarchy. Construction impacts can be mitigated to minimise the effect on local residents and businesses. The mitigation measures and monitoring measures proposed should reduce noise levels from construction to acceptable levels in accordance with applicable guidance, should ensure that the nursery can continue to undertake their daily operations including operation of the play area. Additionally, discussions are continuing with the Nursery to offer additional mitigation measures (going beyond those required to make the development acceptable).

There would be no harm to the setting of heritage assets and there would be beneficial impacts on the settings of adjacent listed buildings and the Whitworth Street Conservation Area. It meets with the requirements of S16 of the NPPF and has had the special regard to preservation and enhancing of heritage assets required by s66 and 72 of the Listed Buildings Act.

## **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:      Minded to Approve subject to a S106 to secure affordable student housing and commercial waste disposal**

### **Article 35 Declaration**

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

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

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

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

(a) Dwgs 10489-SHP-ZZ-A-B5D8-G100-XP-00-002 P01 Existing Site Plan, 10489-SHP-ZZ-A-B5D8-G100-XP-00-001 P01 Site Location Plan all stamped as received on 14-12-23;

(b) Dwg 10489-SHP-ZZ-A-B5D8-JC20-XP-XX-001 P01- Demolition Plan all stamped as received on 14-12-23;

(c) Dwgs 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-TY-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-TY-002 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-RF-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-RF-002 P02 all stamped as received on 14-12-23;

(d) Dwgs 10489-SHP-ZZ-A-B5D8-G200-EL-EW-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-ES-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-EN-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-EW-001 P02, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-005 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-004 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-008 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-003 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-006 P01, 1010489-SHP-ZZ-A-B5D8-G251-DE-XX-007 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-001 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-002 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-009 P02, 10489-SHP-ZZ-A-B5D8-G200-SE-BB-001 P01 and 10489-SHP-ZZ-A-B5D8-G200-SE-AA-001 P01 all stamped as received on 14-12-23;

(e) 10489-SHP-ZZ-A-B5D8-F900-SC-XX-001 P01 -PLANNING ACCOMMODATION SCHEDULE by Simpsonhaugh stamped as received on 14-12-23

(f) Charles Street Student Accommodation Embodied Carbon and Circular Economy Statement Version: V2.0 Dated: 07/12/2023 by Caldwell stamped as received on 14-12-23

(g) Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment, Phase II Contaminated Land Risk Assessment Charles Street, Manchester and Ground Gas Risk Assessment, Charles Street, Manchester all by Goeassit Ltd.

(h) Charles Street Logistics Strategy by Domis, Construction Noise and Vibration Assessment 7 December 2023 by Hann Tucker Associates, Charles Street PBSA Development - Manchester Construction Environmental Management Plan 28th February 2024 Revision: 4 by Domis and Dust Management Plan Dated 1st March 2024 Revision 2;

(i) Flood Risk Assessment and Drainage Strategy 1983-CS-DP2-A180-RP-XX-9041 Rev P05, Flood Risk Assessment Addendum Report. 1983-CS-DP2-A180-RP-XX-9043, Revision P03 - Flood displacement and compensatory storage. Project No: 1984.  
Prepared by DP Squared Ltd. Dated 13th February 2024

(j) Outline Student Management Plan by true Manchester

(k) Environmental Noise Survey and Noise Impact Assessment Report 31020/NIA1 12 December 2023 by Hann Tucker and Approved Document O report, Overheating risk in residential buildings, for Charles Street PBSA Manchester by IES : 01-12-2023 09:

(l) Local Labour Construction: Proposal and Reporting Template stamped as received on 08-01-24;

(n) Charles Street Energy and Sustainability Statement Version: V2.0, Dated: 07/12/2023 by the Caldwell Group and BREEAM Pre-Assessment Report by bpp Energy stamped as received on 14-12-23;

(o) Charles Street Interim Travel Plan by Curtins Revision: P03 Dated: 12 December 2023;

(p) Charles Street, Television and Radio Reception Impact Assessment by GTech stamped as received on 14-12-23 ;

(q)Transport Statement by Curtins Revision: P03, dated: 12 December 2023

(r )Crime Impact Statement Version A 06 12 23 stamped as received on 14-12-23;

(s) Air quality mitigation shall be implemented in accordance with Environmental Statement Volume 2 Appendix 5.1 Construction Dust Assessment and Dust Management Plan dated 1st March 2024 Revision 2.

(t) Section 4 of the Design and Access Statement Prepared by Simpsonhaugh DECEMBER 2023 stamped as received on 14-12-23;

(t) Ventilation Design Strategy: Charles St Student Accommodation Rev C 04-12-2023 by Cauldwell stamped as received on 14-12-23

(u) WIND MICROCLIMATE ASSESSMENT REPORT Charles Street, Manchester by GIA stamped as received on 14-12-23;

(v) Preliminary Ecological Appraisal Report, Charles Street, Manchester, Reference:81-566-R1-2 dated December 2023 by e3p stamped as received on 14-12-23;

(w) Socio-economic Regeneration Impact Statement December 2023 (Revised February 2024)

(x) Train Induced Vibration Assessment, Report 31020/VAR1 5 December 2023 by Hann Tucker stamped as received on 14-12-23;

(y) Townscape and Visual Impact Appraisal Charles Street, Manchester by Turley stamped as received on 14-12-23;

(z)Heritage Statement Manchester by Turley stamped as received on 14-12-23;

(aa) Fire Statement - Charles Street by OFR stamped as received on 14-12-23;

(bb) Archaeological Desk Based Assessment by Oxford Archaeology stamped as received on 14-12-23;

(cc) Broadband Connectivity Assessment by Gtech stamped as received on 14-12-23;

(dd) Student Move in / Move Out Strategy (prepared by Curtins),

(ee) ES Volume 1 Main Text:

1. Introduction 2. EIA Methodology and Consideration of Alternatives 3. Site Context  
4. Development Specification; 5. Air Quality Screening Evaluation; 7. Daylight,  
Sunlight and Overshadowing; Daylight, Sunlight and Overshadowing, 6. Human  
Health; 7. Assessment of 1 Cumulative Effects

(ff) ES Volume 2 List of Appendices

(gg) ES Volume 3 -Non Technical Summary

all stamped as received on 14-12-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, H12, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 saved Unitary Development Plan polices DC18.1, DC19.1, DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of above ground development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

\*hand sized samples and specifications of all materials to be used on all external elevations;

\*drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and

\*a programme for the production of the full sized sample panels and strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

( b) Prior to above ground development submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle in line with the measures set out within the Charles Street Student Accommodation

Embodied Carbon and Circular Economy Statement Version: V2.0 Dated: 07/12/2023 by Caldwell stamped as received on 14-12-23

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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

4) (a) The development shall be implemented in accordance with the Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment Phase II Contaminated Land Risk Assessment Charles Street, Manchester and Ground Gas Risk Assessment, Charles Street, Manchester all by Goeassit Ltd.

b) A Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the residential element of the scheme.

(c) In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

5) Notwithstanding the Charles Street Logistics Strategy by Domis, Construction Noise and Vibration Assessment 7 December 2023 by Hann Tucker Associates, Charles Street PBSA Development - Manchester Construction Environmental Management Plan 28th February 2024 Revision 4 by Domis and Dust Management Plan dated 1st March 2024 Revision 2 by Domis

no development shall take place until a detailed construction management plan or construction method statement and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority

- \* Display of an emergency contact number;
- \* Details of Wheel Washing;
- \* Dust suppression measures;
- \* Compound locations where relevant;
- \* Location, removal and recycling of waste;
- \* Routing strategy and swept path analysis;
- \* Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- \* Parking of construction vehicles and staff; and
- \* Sheeting over of construction vehicles.



- \* The response to noise exceedances and final details of the construction acoustic screens (and dust netting)
- \* Details on the completion of monitoring to establish existing background dust levels, and the dust limit level to be maintained through the construction period.
- \* Details on the implementation of the dust monitoring alarms, and the approach to notifications and responses to the alarms.
- \* Dust monitoring data will be made available to MCC on request

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan and dust management plan

For the avoidance of the doubt the demolition of the buildings would not constitute commencement of development.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) Prior to commencement of development, an assessment of the internal noise monitoring of the Paintpots Nursery will be completed. An internal noise limit during construction will be agreed with the City Council as Local Planning Authority. The assessment will also include any additional mitigation measures that may be required to be implemented to achieve the agreed internal noise levels.

Reason: To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012)

7) Prior to commencement of development a method statement and risk assessment in relation to the safe and ongoing operation of adjacent railway infrastructure during construction and operation, must be submitted to and approved in writing by the City Council as local planning authority

Reason : to ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).

8) Prior to the commencement of development a programme for submission of final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

- (a) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of bat boxes and bricks, bird boxes and appropriate planting; and
- (b) Details of the blue roof at level 09 and green sedum roofs at level 9 and on the roof;

relevant details shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme submitted and approved above.

All of the above shall be fully implemented prior to occupation of the development

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, to ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

9) Prior to occupation of the development an investigation of opportunities to plant street trees within the pavements on Charles Street and York Street including details of overall numbers, size, species and planting specification fully evidencing any constraints to planting and details of on going maintenance shall be submitted to and approved in writing by the City Council as local planning authority in accordance with the planting scheme as agreed above.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1

10) Before any use of part of the amenity areas as shown in dwgs 0489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02 as a gym commences a scheme for acoustically insulating the space to ensure that there is no unacceptable level of noise transfer from these areas to the PBSA above or any unacceptable noise break out shall be submitted to and approved in writing by the City Council as local planning authority.

Noise from gym activities such as impact machines and free weights areas will need to be included within the assessment and details of any acoustic insulation / acoustic floor build up recommendation for these areas.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

The approved noise insulation scheme shall be completed before any use of an area a gym commences. The approved details shall be implemented and remain in place for as long as the unit is in use

Prior to the use commencing a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future building occupiers from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

11) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Excellent' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, within six months of the buildings hereby approved being first occupied.

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

12) Notwithstanding the details as set out within condition 2 (i) Flood Risk Assessment and Drainage Strategy 1983-CS-DP2-A180-RP-XX-9041 Rev P05, Flood Risk Assessment Addendum Report. 1983-CS-DP2-A180-RP-XX-9043, Revision P03 - Flood displacement and compensatory storage. Project No: 1984. Prepared by DP Squared Ltd. Dated 13th February 2024

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

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

- o For proposed flows <5l/s, a blockage risk assessment is required to demonstrate how blockage risk will be managed.
- o Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and the new connection point will suffice.
- o A finalised drainage layout showing all components, outfalls, levels, easements, connectivity and site boundary. This layout must be supported by evidence of feasibility including survey to confirm suitable outfall, clash checks and evidence of private or adoptable network.
- o Detail of requirements due to proximity to railway line including any easements.
- o Confirmation the building will be designed to accommodate blue roof loading.
- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- o Hydraulic calculation of the proposed drainage system;
- o Construction details of flow control and SuDS element

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

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

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

14) Notwithstanding the submitted Outline Student Management Plan by true Manchester and Student Move in / Move Out Strategy (prepared by Curtins), prior to the use commencing final details of

(a) Student Move in / Move Out Strategy; and

(b) Student Management Plan

shall be submitted and approved in writing by the City Council as Local Planning Authority

The approved details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

15) Notwithstanding the details within the Environmental Noise Survey and Noise Impact Assessment Report 31020/NIA1 12 December 2023 by Hann Tucker and Approved Document O report, Overheating risk in residential buildings, for Charles Street PBSA Manchester by IES : 01-12-2023 09 and Train Induced Vibration Assessment, Report 31020/VAR1 5 December 2023 by Hann Tucker

a) Prior to above ground works an Addendum Report to finalise the details of the scheme for acoustically insulating the proposed residential accommodation against noise from the nearby road network and any nearby commercial premises shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

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

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and

125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

Due to the proximity of the development to the elevated railway line it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/re-radiated noise shall also be factored into the assessment and design.

The approved noise insulation scheme and vibration mitigation measures shall be completed before any of the dwelling units are occupied.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, and to reduce the potential for overheating pursuant to policies SP1, H1 and DM1 of the Core Strategy.

16) The approved development shall be carried out in accordance with approved flood risk assessment reporting (183-CS-DP2-A180-RP-XX-9041 Rev P06 and 1983-CS-DP2- A180-RP-XX-9043 Rev P03) and the following mitigation measures detailed within:

- o Compensatory storage shall be provided in accordance with the report 1983-CSDP2- A180-RP-XX-9043 Rev P03 Flood displacement and compensatory storage

- o Finished floor levels shall be set no lower than 31.900 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation of the development. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. Any changes to intended mitigation measures will require the written consent of the local planning authority.

Reason : In accordance with paragraph 173 of the National Planning Policy Framework (NPPF): To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and as pursuant to Core Strategy Policies EN08 and EN14.

17) (a) The development shall be implemented in accordance with the Local Labour Construction: Proposal and Reporting Template stamped as received on 08-01-24

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

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

18) Prior to occupation of the PBSA a scheme for the acoustic insulation of any plant including externally mounted ancillary equipment, lift equipment, substation and any emergency plant associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

The approved details shall be implemented and remain in place for as long as the above uses are operational

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

19) The development hereby approved shall be carried out in accordance with the targets set out within the Charles Street Energy and Sustainability Statement Version: V2.0, Dated: 07/12/2023 by the Caldwell Group

A post construction statement shall be submitted within 12 months of occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

20) Prior to implementation of any proposed lighting scheme details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

21) The development hereby approved shall be carried out in accordance with the Charles Street Interim Travel Plan by Curtins Revision: P03 Dated: 12 December 2023

In this condition a travel plan means a document that includes the following:

- i) the measures proposed to be taken to reduce dependency on the private car by building occupiers;
- ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) and thereafter from time to time;
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car;
- iv) measures for the delivery of specified travel plan services;
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car;
- iv) measures to identify and promote walking routes connecting Circle Square, The Civic Quarter, ID Manchester, the Corridor and Universities and the City Centre; and
- vii) monitoring of the Delivery Management Strategy and any required improvements

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

22) Notwithstanding the Charles Street, Television and Radio Reception Impact Assessment by GTech stamped as received on 14-12-23 within one month of the practical completion of the development or before the residential element of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to



which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy

23) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday/Bank Holiday the times shall be confined to 10:00 to 18:00 and shall be carried out in accordance with the Transport Statement by Curtins Revision: P03, dated: 12 December 2023

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

24) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

25) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

26) If any external lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

27) Notwithstanding the details contained within condition 2 above prior to the first occupation of the PBSA a scheme of highway works and footpaths

reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- (a) Details of the service layby and disabled parking space (noting the Highways comments supplied during the processing of this application in relation to costs for the loss of parking spaces);
- (b) Any modifications / improvements to the public highway or footpath and evidence of associated S278 agreement; and
- (c) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries; and
- (d) Evidence of the agreed amendments to TRO's associated with the above;

and shall be implemented and be in place prior to the first occupation of the PBSA accommodation and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

28) The development shall be carried out in accordance with sections 3, 4, 5 and 6 of the Crime Impact Statement Version A 06 12 23 stamped as received on 14-12-23;

The development shall only be carried out in accordance with these approved details and within 12 months of completion, the applicant will confirm in writing to the Council as local planning authority that the development has achieved Secure by Design accreditation

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

29) No doors (other than those designated as fire exits, access to the cycle store and ground floor bin store shown on Dwg 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02 stamped as received on 14-12-23 shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

30) The 28 cycle parking spaces shall be fully implemented as shown in dwg 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02 stamped as received on 14-12-23; The development shall not be occupied unless and until the above cycle parking spaces are in place

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

31) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 19. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the air source heat pumps are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

32) The proposed amenity spaces hereby approved as shown in dwgs 10489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02 shall be ancillary to the PBSA hereby approved and not operate as separate planning units or commercial uses for which a separate application for planning consent would be required.

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

33) Before any part of the development hereby approved is first occupied final details of the arrangements for waste storage and management arrangements shall be submitted and approved in writing by the City Council as Local Planning Authority:

This should include details of final arrangements in relation to both refuse collection. This should cover the frequency and dimensions of vehicles requiring access to the site, along with final details of the location for loading/ unloading.

The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In interests of highway safety pursuant to Policy DM1 of the Core Strategy

34) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that foul and surface water will be drained on a separate system, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the use first commences.

Reason - Pursuant to National Planning Policy Framework Section 15 and Core Strategy policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

35) In relation to site layout, water supplies for firefighting purposes and access for fire appliances, the development shall be implemented in accordance with the Fire Safety Measures set out in the Fire Statement - Charles Street Revision: R03 by OFR stamped as received on 14-12- 23

## Reason

To ensure a satisfactory development pursuant to Policy DM1 of the Core Strategy and in accordance with the Fire safety and high-rise residential buildings Guidance August 2021.

36) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

37) Accessible rooms shall be carried out in accordance with the Design and Access Statement Prepared by Simpsonhaugh DECEMBER 2023 stamped as received on 14-12-23

The approved details shall be implemented and be in place prior to the first use of the and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the accommodation is accessible to all pursuant to policy DM1 of the Manchester Core Strategy (2012).

38) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the hotel first commences.

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

39) No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

40) Prior to occupation of the development final details of the artwork to the elevation facing the nursery play area shall then be submitted to and agreed in writing by the City Council as Local Planning Authority and the approved scheme fully implemented prior to occupation of any of the approved PBSA accommodation.

Reason - To ensure that a satisfactory interface with the adjacent play area that respects the character and visual amenities of the users of that space in accordance with Core Strategy Policies SP1 and DM1.

### **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: 138808/FO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

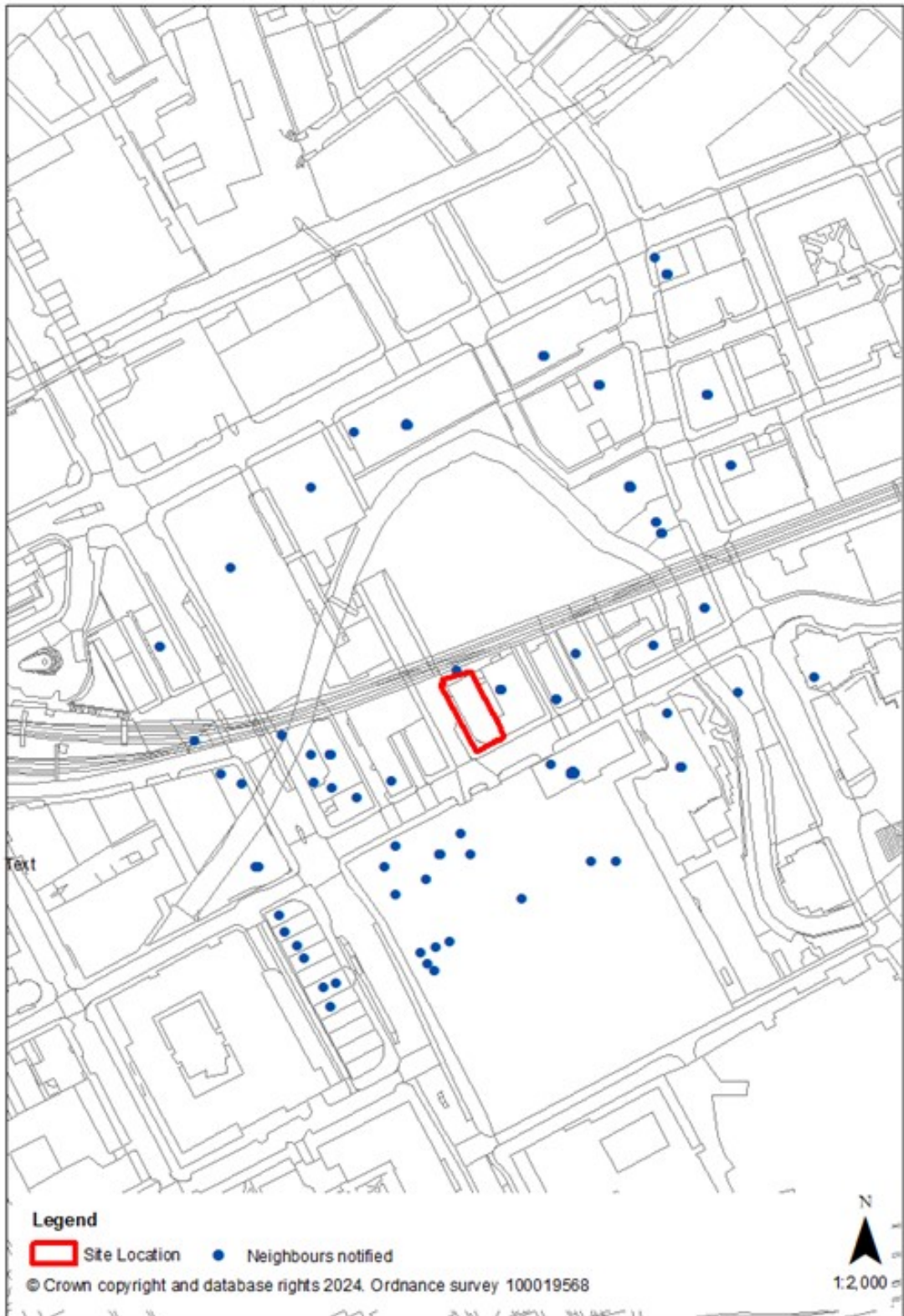
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services**  
**Environmental Health**  
**Neighbourhood Team Leader (Arboriculture)**  
**Corporate Property**  
**MCC Flood Risk Management**  
**Work & Skills Team**  
**Strategic Development Team**  
**City Centre Regeneration**  
**Greater Manchester Police**  
**Historic England (North West)**  
**Environment Agency**  
**Transport For Greater Manchester**  
**Greater Manchester Archaeological Advisory Service**  
**Active Travel England**  
**Natural England**  
**Greater Manchester Ecology Unit**  
**Greater Manchester Pedestrians Society**  
**Manchester Metropolitan University**  
**University Of Manchester**  
**Greater Manchester Geological Unit**  
**Network Rail**  
**Planning Casework Unit**  
**United Utilities Water PLC**  
**Canal & River Trust**  
**Health & Safety Executive (Fire Safety)**  
**Manchester Airport Safeguarding Officer**  
**Civil Aviation Authority**  
**National Air Traffic Safety (NATS)**

**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](mailto:angela.leckie@manchester.gov.uk)



This page is intentionally left blank



<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
139066/FH/2024	8th Feb 2024	14 <sup>th</sup> March 2024	Whalley Range Ward

**Proposal** Erection of a two-storey side extension, single-storey rear extension and front porch extension to provide additional living accommodation.

**Location** 183 Withington Road, Manchester, M16 8HF

**Applicant** Mr Naseem Haider

**Agent** Mohammed Nasar Ishfaq, JAAN Architects Ltd

### **Executive Summary**

The applicant is seeking permission for the erection of a two-storey side extension, single-storey rear extension and front porch extension to provide additional living accommodation for a family dwellinghouse. The property is not listed; however, it is sited within the Whalley Range conservation area.

Ten neighbouring dwellings were notified of the proposed development and one letter of objection was received. The key issue that was raised was concern relating to the proposal's lack of visual subservience to the host dwellinghouse. This is fully considered within the main body of the report.

The application has been brought before the Planning and Highways' Committee for consideration as the applicant is an employee of the Council.

### **Description**

The immediate vicinity of the application site is predominantly residential in terms of its character, consisting of semi-detached and detached dwellinghouses as well as residential apartment complexes with St Margaret's Church of England Primary School also located in relatively close proximity to the site. This stretch of Withington Road runs parallel to Alexandra Road South and forms part of the Whalley Range conservation area in the Whalley Range ward of Manchester.

The conservation area is situated approximately two miles south of Manchester city centre. Much of the area, which is primarily residential, is contained within 63 acres of flat land purchased for building in 1832 by a prominent banker, Samuel Brooks. The layout of Whalley Range as established by Samuel Brooks survives today as an area of large houses on tree-lined avenues. Many of the original houses remain, with new development taking place on the site of demolished houses and on the site of plots left vacant during the initial stages of the area's development.



Figure 1. Excerpt from Google Maps, with application site edged in red.

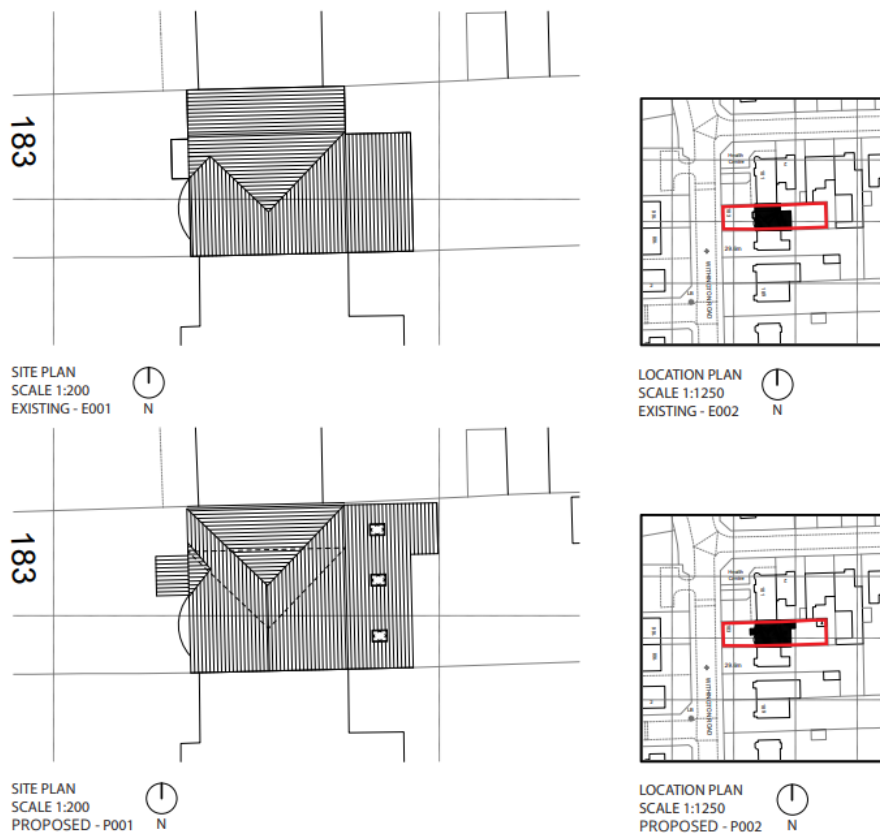


Figure 2. Submitted existing and proposed site and location plans.

The application relates to a two-storey semi-detached dwellinghouse of redbrick and white render with a red concrete tile hipped roof with a gable end roof form to the front. The property features white render at ground and first floor level to its principal elevation, with redbrick at ground and first floor level to its side and rear elevations. The property also features white uPVC windows, including a two-storey bay to the front, a tarmac front driveway, a front porch extension, a single storey side extension (with a flat roof form), a single storey rear extension, and a detached outbuilding situated within a spacious rear garden.

The front amenity space consists entirely of hardstanding which forms a large driveway for the property and is bordered by a mid-level redbrick wall with brick piers to the front, and high-level timber fencing to its side boundaries. The property's rear garden consists largely of soft landscaping and is partially bordered by high-level timber fencing to its shared boundaries. The neighbouring plot of No.185 Withington Road is of a similar size and shape as the application site, whereas No.181 Withington Road forms a spacious corner plot and No.2 Demesne Road is smaller in terms of its size.

The applicant is seeking permission for the erection of a two-storey side extension, single-storey rear extension and front porch extension to provide additional living accommodation for a family dwellinghouse.

### **Consultations**

One letter of objection received from a local resident which can be summarised as follows:

- The proposal would not read as a subservient addition to the property.
- On the front elevation, the extension should feature a setback.

Flood Risk Management made no objection to the proposal.



Figure 3. Principal elevation of property.



Figure 4. Rear elevation of property.



Figure 5. Shared boundary with No.185 Withington Road.



Figure 6. Shared boundary with No.181 Withington Road.



Figure 7. Shared boundary with No.181 Withington Road and No.2 Demesne Road.



Figure 8. Rear amenity space.

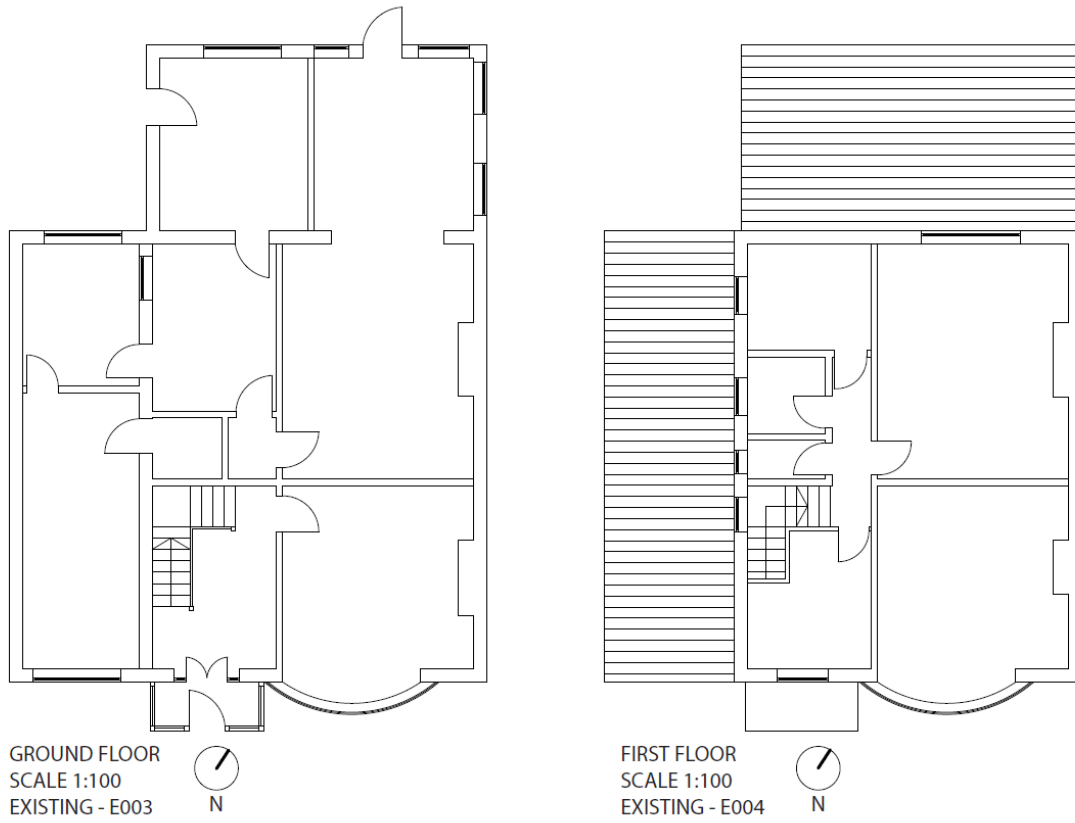


Figure 9. Submitted existing ground and first floor plans.

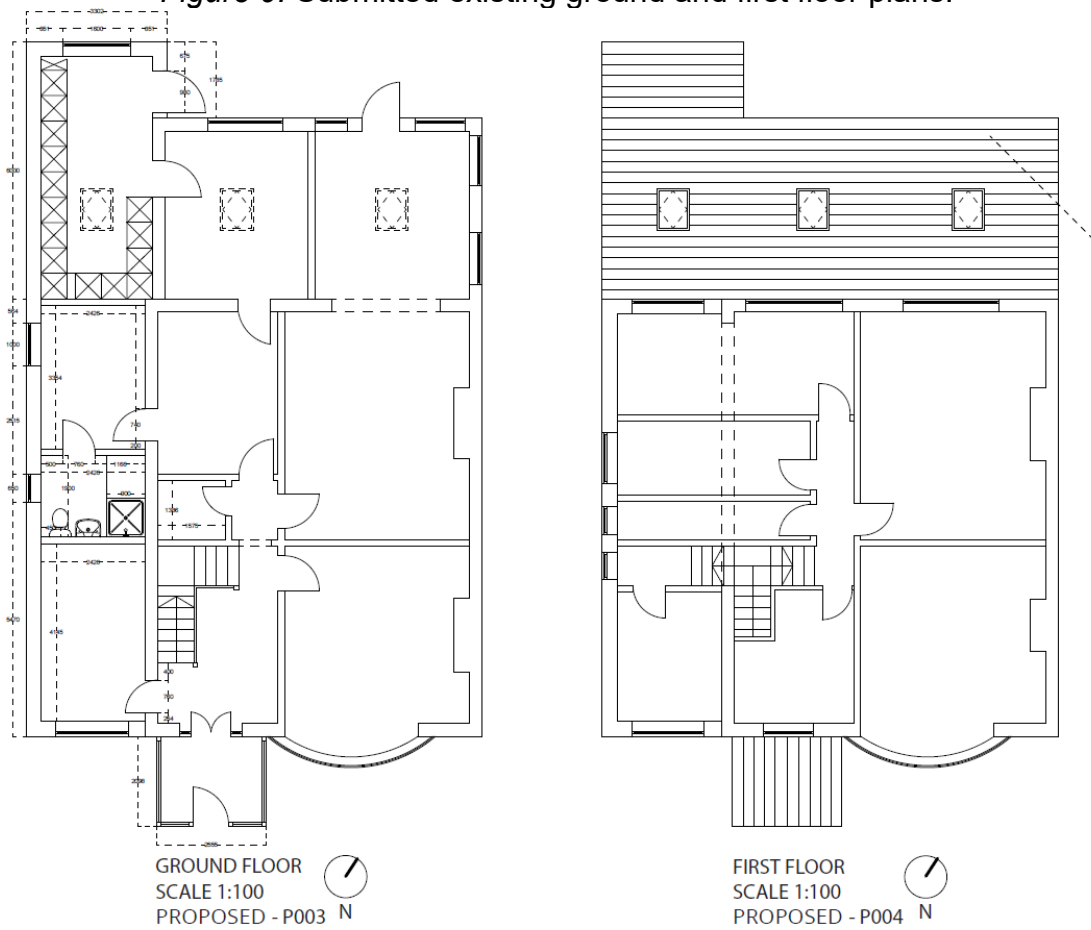


Figure 10. Submitted proposed ground and first floor plans.



Figure 11. Submitted existing and proposed elevations.

## Policies

### **The Core Strategy Development Plan Document (2012-2027):**

The "Core Strategy" was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

**Policy SP1: Spatial Principles** – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

**Policy DM1: Development Management** - This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document: -

- Appropriate siting, layout, scale, form, massing, materials, and detail.
- Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

**Policy EN3: Heritage** - Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled



ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

**Unitary Development Plan for the City of Manchester (1995):**

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

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

**DC1.1** The Council will have regard to:

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

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

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

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

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

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

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as

a whole;

c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

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

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

**Policy DC18** of the Unitary Development Plan seeks to encourage and help ensure the protection, preservation and enhancement of the Council's conservation areas, which are areas of special character representing the rise and development of the world's first industrial city. The protection of such areas helps stimulate local pride and encourages both tourism and further investment. The policy gives effect to the obligation placed on the Council by statute to give particular attention to the quality of developments within conservation areas.

**DC18.1** The Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

i) the relationship of new structures to neighbouring buildings and spaces;  
 ii) the effect of major changes to the appearance of existing buildings;  
 iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);

iv) the effect of signs and advertisements;

v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

**Guide to Development In Manchester:**

The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development appropriate to Manchester. It seeks to retain the essential distinctiveness of its character areas, whilst not precluding new development.

**National Planning Policy Framework (2023):**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF was updated in December 2023 and provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e., the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

**Chapter 2 'Achieving sustainable development':**

**Paragraph 11** states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

**Chapter 12 'Achieving well-designed and beautiful places':**

**Paragraph 131** 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 interests throughout the process.

**Paragraph 135** states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>52</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### **Chapter 16 ‘Conserving and enhancing the historic environment’:**

**Paragraph 200** states in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

**Paragraph 201** requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

**Paragraph 203** goes on to state that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

**Paragraph 205** states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

**Paragraph 206** states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

**Paragraph 208** states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

**Other Legislative requirements:**

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.

**Places for Everyone:**

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

You can view the Inspectors' Report on the GMCA's website at Places For Everyone - Greater Manchester Combined Authority ([greatermanchester-ca.gov.uk](http://greatermanchester-ca.gov.uk)). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

**Issues**

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for

extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

**Principle** – the principle of allowing residents to extend and develop their homes to provide enlarged or improved living accommodation is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers.

In this instance however, the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in terms of amenity, as well as the proposal's detrimental impact upon the Whalley Range conservation area, which would warrant the refusal of this application.

On balance, the proposal is deemed to conflict with saved policies DC1 and DC18 of the UDP, policies DM1, SP1 and EN3 of the Core Strategy and chapters 12 and 16 of the NPPF.

**Siting, scale, and massing** – the part-single / part-two storey extension would be sited at the side and rear of the property, facing north and east, replacing the existing single-storey side extension and adjoining the existing single-storey rear extension.

At ground floor level, the extension would project 6m rearwards from the host dwellinghouse, with a total length / depth of 16.199m, a sideward projection of 2.775m, width of 3.302m (10.635m when combined with the existing rear extension), mono pitch roof height (to the rear) of 3.948m and an eaves height of 2.433m. It would be sited just off the boundary shared with No.181 Withington Road and No.2 Demesne Road, maintaining a gap of 0.2m, and would maintain a gap of 7.336m to the boundary shared with No.185 Withington Road. At first floor level, the extension would have a length / depth of 10.2m (featuring no setback from the front of the property), a sideward projection of 2.775m, a hipped roof height of 8.803m (to match the existing) and an eaves height of 5.57m (also to match the existing). A gap of 0.2m would be maintained to the boundary shared with No.181 Withington Road.

The porch extension would be sited at the front of the property, facing west. It would project 2.098m frontwards, with a width of 2.555m, a dual pitch roof height of 3.16m and an eaves height of 2.311m. A gap of 3.184m would be maintained to the boundary shared with No.181 Withington Road, and a gap of 1.309m would be maintained to the boundary shared with No.185 Withington Road.

Overall, the siting, scale, and massing of the proposal is considered to be unacceptable. This is largely due to the side and rear extension's excessive mass and bulk which, when combined with its inappropriate siting along the plot's shared boundaries, would result in the introduction of a visually imposing and overbearing feature for neighbouring occupiers, to the detriment of residential amenity. Moreover, the extension's lack of a first-floor setback together with its lack of a reduced ridge height would result in the proposal failing to read as a visually subservient addition to the host dwellinghouse, instead representing an 'excessively large and bulky'

extension, which would be out-of-keeping with the character of the surrounding residential properties as well as creating a visual imbalance with the appearance of the adjoining semi, when viewed collectively.

The proposal is therefore considered to act against the principles set out in policy DC1 of the UDP as well as policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF.

**Appearance and visual amenity** – the details included on the submitted application form indicate that the proposal would be built of red brickwork and grey concrete roof tiles to match the existing in addition to white / grey uPVC windows, and white / grey composite doors.

The existing property includes the use of white render at both ground and first floor level to the property's principal elevation as well as red concrete roof tiles, rather than grey. If a scheme is to be looked upon favourably in the future, then the proposed materials would need to match those of the existing main house.

It is considered that the proposal would be of inappropriate design and would have the potential to cause unnecessary and undue harm to the appearance and character of the host dwellinghouse as well as the overall visual amenity of the area. This is largely due to the proposal failing to read as a subservient addition to the host dwellinghouse in terms of its dimensions. Sited at the side and rear of the property, elements of the proposal would be visible within the street scene with the result of unacceptable visual harm as it would imbalance the appearance of the adjoining semi detached house.

The proposal therefore conflicts with policy DC1 of the UDP, policy DM1 of the Core Strategy and chapter 12 of the NPPF.

**Impact upon the Whalley Range conservation area** – as previously discussed, the proposal would fail to read as a subservient addition to the host dwellinghouse and fails to provide sufficient information with regard to the proposed materials and finishes of the development.

It is therefore considered that the proposed two storey side extension would form an unacceptable feature within the street scene which would be detrimental to the character of the Whalley Range Conservation Area and, although that harm would be categorised as less than substantial, there are no overarching public benefits which would outweigh that harm in terms of enlarged or improved residential accommodation.

There is no objection to the loss of the existing single storey extensions at the application property in relation to impact on the character of the conservation area.

The proposal therefore conflicts with policy DC18 of the UDP, policy EN3 of the Core Strategy and chapter 16 of the NPPF.

**Residential amenity** – due to the excessive mass and bulk of the side and rear extension in combination with its inappropriate siting and proximity to the plot's

shared boundaries, it is considered that the proposal would have the potential to give rise to undue harm to residential amenity, in terms of limiting the outlook of neighbouring residents, most notably those occupying No.181 Withington Road and No.2 Demesne Road, through the introduction of a visually imposing, obtrusive and overbearing feature. The rear garden areas to those properties are relatively small and the first-floor element of the proposed two storey side extension is considered to be unacceptable in terms of the impact that would result to the windows and garden areas of those neighbouring houses, with No.181 Withington Road's first-floor rear elevation being sited approximately 8m away from the proposed extension at No.183 Withington Road and No.2 Demesne Road being sited approximately 7.5m away.

Moreover, the proposed ground and first floor windows in the side elevation facing No.181 Withington Road would infringe upon the privacy of neighbouring occupiers to an unacceptable degree. It is considered that this loss of privacy would be unable to be mitigated through an obscure glazing condition as the proposed windows would be sited along the plot's shared boundary with a minimal 0.2m gap maintained. There would be potential for both actual overlooking and also perceived overlooking by windows located so close to the shared boundary.

The proposal therefore conflicts with policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

**Waste storage** – the current waste storage arrangements would be unaffected by the proposal.

**Parking** – the front porch extension would slightly reduce the dimensions of the existing front driveway; however sufficient space would be retained to accommodate at least one vehicle (i.e. 2.4m by 4.8m). The proposal is therefore considered acceptable in this regard.

**Flood Risk** – Flood Risk Management made no objection to the proposal.

**Other matters** – the proposal also includes a number of elevational alterations. These are listed below:

- A new window would be installed at first floor level along the rear elevation of the host dwellinghouse.
- Two new flat skylights would be installed along the rear-facing roof slope of the existing rear extension.

These alterations are considered acceptable given their minimal impact upon the visual and residential amenity of the area.

**Conclusion** – for the reasons specified above, it is considered that the proposal is unacceptable due to its siting, scale, and massing, insufficient details with regard to its proposed materials, inappropriate design choices and resultant negative impact upon the visual and residential amenity of neighbouring occupiers, as well as the



overall appearance of the host dwellinghouse, surrounding street scene and Whalley Range conservation area.

Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however this proposal is considered to cause undue harm to the host dwellinghouse, street scene, Whalley Range conservation area, and the visual and residential amenity of neighbouring occupiers, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council.

### **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:** Refuse

#### **Article 35 Declaration**

The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

**Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

1) The proposal by reason of its excessive scale, massing and bulk, insufficient details with regard to its proposed materials, and inappropriate design, would not be visually subservient to the host dwellinghouse, would introduce detrimental visual elements to the street scene, unbalancing the appearance of the adjoining semi-detached house, and would form a visually incongruous and obtrusive structure which would not be sympathetic to the appearance of the host dwellinghouse, the surrounding street scene and would also be detrimental to the character of the Whalley Range Conservation Area, to the detriment of visual amenity and, as such, is contrary to saved policies DC1 and DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, DM1 and EN3 of the Manchester Core Strategy and chapters 12 and 16 of the National Planning Policy Framework.

2) The proposal by reason of its proximity to the plot's shared boundaries, together with its excessive scale, massing and bulk, and inappropriate side-facing windows, would have a detrimental effect upon the residential amenity of neighbouring occupiers, in terms of a loss of privacy, both perceived and real, as well as having an overbearing impact upon the occupiers of the neighbouring properties of No.181 Withington Road and No.2 Demesne Road. The proposal is therefore contrary to policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and the National Planning Policy Framework.

**Local Government (Access to Information) Act 1985**

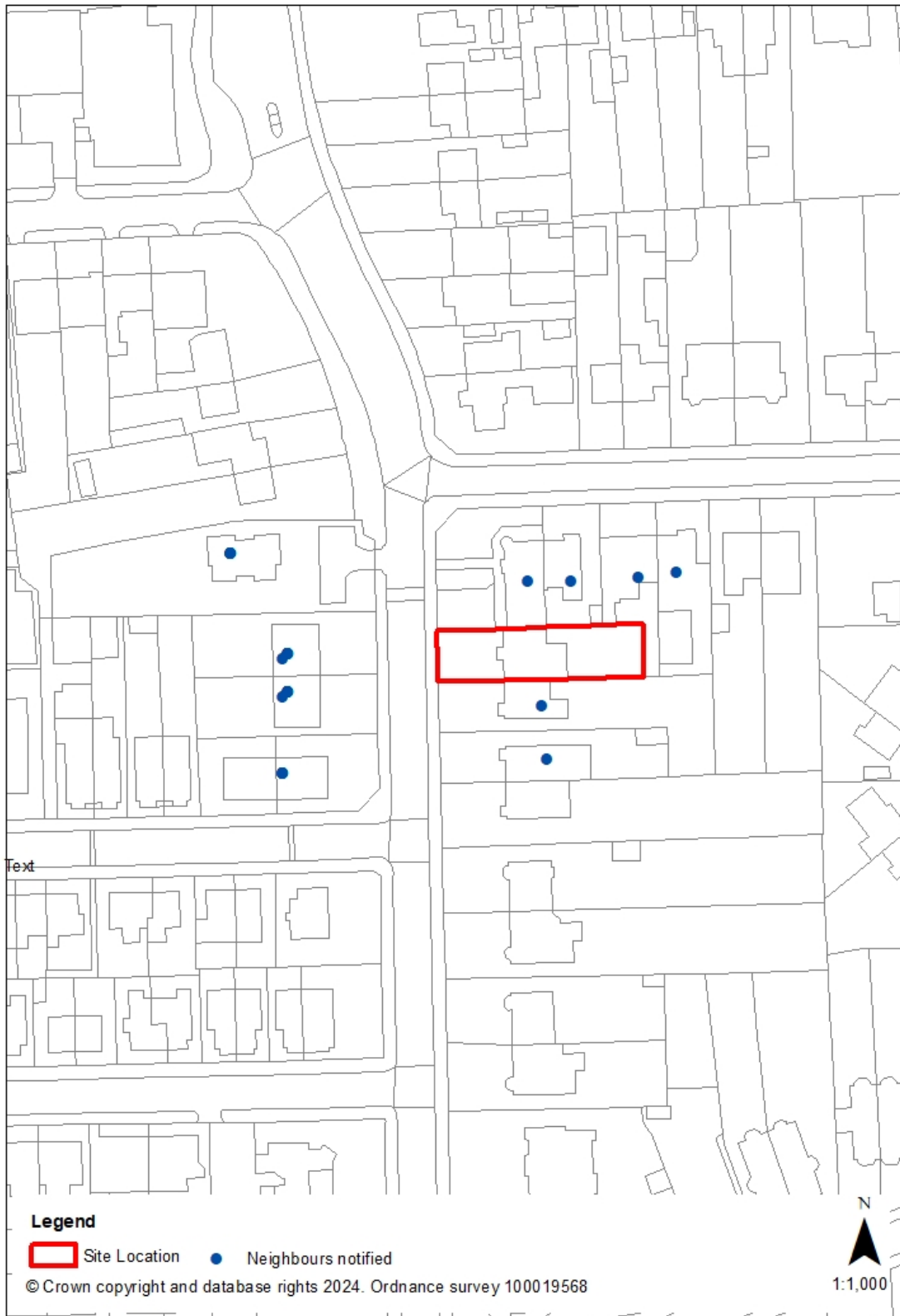
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 139066/FH/2024 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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:**

**MCC Flood Risk Management**

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

**Relevant Contact Officer :** Holly Wright  
**Telephone number :** 0161 219 6381  
**Email :** holly.wright@manchester.gov.uk



This page is intentionally left blank