

Application Number	Date of Appln	Committee Date	Ward
132574/FO/2021	6 Jan 2022	28 July 2022	Piccadilly Ward

Proposal Erection of 4 no. part 4, part 5 storey, three bedroom townhouses (Use Class C3a) with associated car/cycle parking, recessed balconies and rooftop terraces.

Location Land South of Stables Car Park, Paradise Wharf, Ducie Street, Manchester, M1 2JN

Applicant Mike Purcell, Victor (M1) Ltd, C/o Agent

Agent Lynsay Ewart, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

EXECUTIVE SUMMARY

Key Issues:

Principle of the proposal and the schemes contribution to regeneration: The development is in accordance with national and local planning policies, and the scheme would bring significant economic, social and environmental benefits. This is a brownfield, within the HS2 SRF Area. The proposal would provide three bedroom homes which meet the Council's space standards and would contribute to creating a mixed community.

Economic: The development would deliver jobs during construction and further economic benefits would be generated through chain linkages and employee expenditure in the area.

Social: A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The proposal would provide interest to the canal corridor and provide overlooking onto the towpath which would assist with passive surveillance of the waterway.

Environmental: The development would be sustainable and provide 100% on site cycle provision and Electric Vehicle charging points for each integral garage. There would be no unduly harmful impacts on traffic and local air quality. Any impacts can be mitigated. Planting, trees and bird and bat boxes would improve biodiversity. A drainage scheme includes sustainable principles and minimises any impact on the canal. The height, scale and design would contribute positively to the character of the area and the setting of nearby listed buildings.

Impact on local residents: The impact on daylight/sunlight and overlooking would be acceptable. Construction impacts would not be significant, and its effects minimised.

A full report is attached below for Member's consideration

Description

The site is approximately 0.04 ha and is used for access and car parking to the stables offices and a small external seating area at the southeast corner of Paradise Wharf.



Application site indicated in red



The application site looking east



The application site looking west from the Ashton Canal Towpath

The site is bounded by the Ashton Canal towpath and a complex of buildings known as Paradise Wharf. Paradise Wharf consists of Grade II Listed Stables building, Junction Works Apartments (Grade II) and Whittles Croft Wharf apartments, a four-storey modern building. The Grade II* Store Street Aqueduct is to the southeast. The former Presbar Diecastings is to the east. Nearby uses include residential, office, commercial, hotel and surface parking.

The site is close to Piccadilly Stations, Metro link, Piccadilly Bus Station and Metroshuttle. It is in Flood Risk Zone 1, which is at low risk of flooding and is in a critical drainage area. It is in the HS2 SRF which seeks to drive significant investment around the station and Portugal Street East SRF. The Piccadilly Basin SRF; Mayfield SRF; Ancoats & New Islington Neighbourhood Development Framework; and the Kampus SRFs are nearby.

The Proposal

The proposal is for 4, three-bedroom townhouses adjacent to the canal towpath. They would be part 4, part 5 storeys with integral garages for cars and bikes. Vehicle and pedestrian access would be via an existing vehicle access adjacent to The Stables.

The dwellings would mainly be red brick with the fourth floor set back from the main elevations and finished in a glazed ceramic cladding. Roof terraces are formed in the remaining area.

The upper levels of the southern elevation have Juliette balconies, recessed balconies, and the main roof terrace. At the ground floor, adjacent to the towpath, feature brick work and arched windows would provide interest and create defensible space.

One of the 4 trees on site would be removed. Servicing would be from Ducie Street and each household would have an internal bin store with space for 4 bins.

Consultations

Publicity – The occupiers of adjacent premises were notified, the development was advertised in the local press as a development which would affect the setting of listed buildings and site notices were placed adjacent to the site. 37 objections have been received as follows

Privacy and Overlooking and Impact on Sunlight and Daylight Levels

- loss of light to surrounding buildings which could affect their value;

- overlooking

- loss of all natural light to lower ground floor and basement flats in Junction Works, and the commercial units in the Stables building. The design of the single-aspect lower ground floor apartments in Junction Works and single-aspect commercial units

in the Stables building relied on natural light from this area. This will impact negatively on residents and workers *abilities to enjoy their homes and workspaces*.

Design

- The homes will need access via the shared electric gates so they will need to contribute to their upkeep of the gate and equipment and the shared driveway;
- impact on the grade 2 listed aqueduct
- The height will obstruct views of the canal. The site is adjacent to listed buildings and will significantly alter views for neighbours and the public;
- The site is small and access is difficult which would lead to issues during the construction as well as noise impacts on residents;
- the blank elevation on the southern elevation at ground floor level creates a dead frontage and an unacceptable interface with a key landscape asset, reducing overlooking and surveillance from existing properties;
- The proposed fenestration responds poorly to the surrounding heritage assets where rhythmic fenestration and consistent windows are key vernacular features and contribute to the historic character of the area;
- The proposed does not enhance the settings and communal space of adjacent listed buildings;
- The height at 5 storeys is insensitive and overbearing to the adjacent Grade II listed stables, standing at two storeys / Grade II listed Junction Works, standing at 4 storeys;
- The proposed 4/5 storey building height fails to provide a sensitive response to the stables building immediately adjacent to the site (standing at two storeys). The height of the building fails to provide a gentle increase in scale from the 2 storeys listed Stables building. The proposed scale should be in keeping with the stables building, with a subtle step up of maximum one storey feeling like an appropriate increase abutting the stables building. As proposed, the building will be completely overbearing on the Grade II listed Stables building, negatively impacting on the heritage asset and the courtyard space it is set in;
- New developments along the Ashton Canal (both consented and delivered - including consented application '126608/FO/2020' proposed just 20m along the Canal from the proposed development site and Urban Splash townhouses in New Islington), all propose habitable rooms and large windows at ground floor level, providing some defensible space via a small step up from the ground to the window or a setback building line, protecting the privacy and security of residents whilst encouraging passive surveillance of the canal at ground floor level;

- The design fails to enhance the setting of two Grade II listed buildings;
- Part of the proposal where windows should be proposed appear to have been filled with bricks, or the windows have been shrunk, which upsets the rhythm of the facade and prevents overlooking and surveillance onto the Canal;
- The proposal creates a disjointed facade that responds poorly to adjacent heritage features.

Other

- Concerns raised with regards to noise and disturbance to residents during the construction period;
- Increased noise and comings and goings as well as privacy impacts to nearby residents when the development is occupied;
- The proposal encourages use of the car by providing onsite parking, whilst the proposal site is within a sustainable and accessible location close to nearby public transport links which is contrary to the council Climate Change policies;
- The developer has not engaged with residents;
- The site has restricted access due to its location next to the canal and basin. There would be issues for emergency vehicles during the construction phase. The adjacent building is affected by the fire safety crisis and access is needed for fire safety remediation work;
- The site is directly next to residential uses so there should be sensible restrictions on the construction work to include time restrictions and preventing weekend work to minimise the noise and disruption to neighbours;
- The proposed building would cause the loss of valuable amenity space for residents of the surrounding developments;
- It difficult to understand how the proposal would contribute to Biodiversity Net Gain on the site, with no landscape planting proposed at ground or roof level, and the proposal will require the removal of an existing tree and associated landscaping;
- The provision of private car parking in this location would encourage AirBnB or weekend rentals, causing additional and regular disruption to the everyday lives of residents and potential anti-social behaviour;
- The planning application was not advertised correctly planning application notice should include numerous notices on the proposed perimeter of the site printed on blue paper to inform local residents. The proposal was advertised on a single piece of white paper.

- There is only one access point to these houses through the main Paradise Wharf gate which is shared with other developments . The land owners make no contribution to the access point which are expensive to maintain. Additional wear and tear will add financial burden to neighbouring residents

Councillor Wheeler (Piccadilly Ward) raised concerns with regards to the display of one site notice at the application site. CAN YOU SHOW ME WHAT HE HAS SENT PLEASE??/

Environmental Health recommend conditions relating to the storage and disposal of refuse, acoustic insulation of the homes, plant and equipment. The grounds conditions should be explored, and remediation agreed.

Highway Service Electric Vehicle charging points should be provided and a Construction Management Plan should be agreed.

Greater Manchester Police (Design for Security) no comments received.

Greater Manchester Archaeological Advisory Service there is potential for belowground remains relating to the 19th century warehouses and a watching brief should be observed to record any remains revealed.

Greater Manchester Ecology Unit No objections subject to conditions to prevent removal or works to trees during bird nesting season, a CEMP for works adjacent to the Ashton Canal West SBI, a lighting scheme which does not impact on biodiversity and enhancements to Biodiversity

Canal and River Trust no objections subject to conditions regarding a Risk Assessment and Method Statement and Construction Environmental Management Plan.

Manchester Water Safety Partnership a Water Safety Impact Assessment should be completed due to the proximity to the Ashton Canal.

High Speed Two no comments

Historic England have no comments.

Neighbourhood Services (Trees) no objection to the removal of the trees subject to mitigation planting.

Flood Risk Management recommend a condition regarding a drainage scheme

United Utilities recommend a condition and informatives regarding drainage.

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)

SO1. Spatial Principles – This highly sustainable location has access to public transport, amenities and recreational facilities.

SO2. Economy - Construction jobs would be created and housing provided near to employment. This would support economic growth. Local labour agreements would ensure Manchester residents are targeted for jobs.

SO3 Housing - Development in this sustainable location would address demographic need, provide housing in an attractive place and support economic growth. The City's population has continued to grow as its economy has expanded.

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

SO6. Environment - The development would help to protect and enhance the City's natural and built environment and ensure the sustainable use of natural resources in order to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; improve recreational opportunities; and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP1 Regional Centre The proposal would complement existing residential accommodation in the area.

Policy CC1 It would help to attract and retain a diverse City Centre labour market and support GM's growth objectives by delivering housing to support a growing economy and population, in a well-connected location and would assist in the promotion of sustained economic growth.

Policy CC5 The location is highly sustainable and would give people a real choice about how they travel and contribute to sustainability and health objectives. The area is close to Piccadilly Station and other public transport hubs. The proposal would help to connect residents to jobs, local facilities and open space. It should encourage modal shift to sustainable alternatives. The development would improve the environment to the canal towpath.

Policy CC8 The development would contribute to City Centre growth and employment. It would have a positive impact on the heritage and character of the area and respond to heritage assets and the historic environment.

Policy CC9 The design would preserve identified heritage assets. This is considered in more detail below.

Policy CC10 The townhouses would appeal to a wide range of residents including families which would increase the diversity of the City Centre population.

Policy T1 The site is close to sustainable, high quality, integrated transport and would encourage modal shift to public transport, cycling and walking and carbon free modes of transport. The proposal would incorporate electric vehicles charging points.

Policy T2 The location would give residents access to strategic employment areas and provide car and cycle parking.

Policy EN1 The proposal has regard to City's character and heritage and the design would enhance the area.

Policy EN3 The proposal responds to the adjacent heritage assets and character of the area and their significance would be understood.

Policy EN4 The proposal aims to reduce energy needs through energy efficient design and features and would be secured by condition.

Policy EN8 The development is in a highly sustainable location and would incorporate measures such as SUDs and Electric Vehicle charging.

Policy EN9 The proposal would improve the quality/quantity of green infrastructure on the site with a gain of trees and opportunities for landscaping and roof terraces.

Policy EN14 The development has given regard to flood risk and drainage methods and further information would be required by condition.

EN15 The proposal has identified opportunities to enhance, restore or create on site biodiversity and an enhancement plan would be conditioned.

Policy EN16 Air Quality impacts during construction can be mitigated. Due to the size of development, traffic exhaust impacts would not be significant.

EN17 The development is adjacent to the Ashton Canal and a CEMP would be conditioned to avoid any adverse impact on water quality.

EN18 Any contamination can be remediated and a condition requires further investigation.

Policy EN19 The applicant has demonstrated that waste management can be met.

DM1 The development has regard to, including: appropriate siting, layout, scale, form, massing, materials and detail; impact on the surrounding areas; effects on amenity; accessibility; community safety and crime prevention; 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. This is considered in more detail in the issues section below.

Policy H1 The scheme would help to meet the overall housing targets identified for the City Centre in the Core Strategy.

Policy H2 The proposal would provide a residential development in a sustainable location in part of the City Centre specifically identified in the Core Strategy as being suitable for residential development. The town houses would appeal to a wide range of people from families to couples and sharers. The scheme would help to create sustainable, inclusive and mixed communities within this part of the City Centre. Manchester's economy is growing post-recession and significant investment in housing is required in locations that would support and sustain this growth.

Unitary Development Plan for the City of Manchester (1995)

Saved Policy DC7 (New Housing Developments) The proposal would be accessible at ground floor level to disabled people, including those who use wheelchairs.

Saved Policy DC19.1 (Listed Buildings) The proposal would preserve the settings of nearby listed buildings. This is discussed in more detail below.

Saved Policy DC20 (Archaeology) The proposal has given consideration to the potential archaeological interest of the site and mitigation would allow for the recording of any further remains that may be revealed.

Saved Policy DC22 (Footpath Protection) - The development would improve pedestrian routes within the local area through providing overlooking and an active frontage along the canal towpath.

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

National Planning Policy Framework

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to apply. It aims to promote sustainable development. The Government states that sustainable development has an economic role, a social role and an environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan. Paragraphs 11 and 12 state that:

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

Paragraph 119 planning decisions should promote effective use of land in providing homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes.

Paragraph 120(d) Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

Paragraph 122 - Planning policies and decisions should support development that makes efficient use of land and includes a requirement to take into account local market conditions and viability and the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change.

Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 131 states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Section 6 - Building a strong and competitive economy and Core Strategy Policy SP 1 (Spatial Principles), Policy CC1 (Primary Economic Development Focus), CC8 (Change and Renewal) – The development would be highly sustainable. It would be close to sustainable transport, maximise the use of the City's transport infrastructure and would enhance the built environment, create a well-designed place and reduce the need to travel.

The proposal would develop a previously developed site and create employment during construction. This would support economic growth and complement nearby well established and emerging communities. Resident's use of local facilities and services would support the local economy. The proposal would enhance the built and natural environment and create a well-designed place and create a neighbourhood where people choose to be.

NPPF Section 7 Ensuring the Vitality of Town Centre- The City Centre is the focus for economic and commercial development, leisure and cultural activity, and city living. The proposal would be part of a neighbourhood which would attract and retain a

diverse labour market. It would support GM's growth objectives by delivering housing for a growing economy and population, within a major employment centre in a well-connected location and would help to promote sustained economic growth.

NPPF Section 9 Promoting Sustainable Transport, - The Site is easily accessible to pedestrians and cyclists, and sustainable transport options with Metrolink stops at Piccadilly and New Islington and Piccadilly Train Station. The proposal would include integral garages that provide 1 parking space per unit and cycle parking. A condition would be required to ensure each property has an Electric Vehicle charging point to encourage more sustainable modes of transport.

NPPF Section 5 (Delivering a sufficient supply of homes) and 11 (Making Effective Use of Land)– This high-density development would use a sustainable site efficiently in an area identified as a key location for residential growth. It would contribute to the ambition of 90% of new housing being on brownfield sites. It would have a positive impact and the accommodation would meet different household needs. The proposed town houses would appeal young families and couples.

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

NPPF Sections 12 (Achieving Well Designed Places), and 16 (Conserving and Enhancing the Historic Environment) – The development would use the site efficiently, promote regeneration and change and create an attractive and healthy place. It would maximise the use of land and its design would respond to its context. It would contribute to place making and would bring significant regeneration benefits. The design would respond positively at street level. The design would be appropriate to the location and create a cohesive urban form. The building and public realm would improve functionality and contribute to the planned growth of the City Centre towards New Islington and Ancoats.

The impact on the setting of the adjacent listed aqueduct or nearby listed Junction Works and The Stables would not be detrimental. The listed structures of the Ashton Canal are in a mixed setting and the proposal would be viewed within that context. The submitted Heritage Statement assesses the impact on the nearby listed buildings. It also evaluates the relationship to context and its effect on the adjacent heritage assets.

The following parts of the NPPF should also be noted:

Paragraph 197 states '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 199 advises 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 200 advises 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. Substantial harm to or loss of a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional’.

Paragraph 201 advises that ‘Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use’.

Paragraph 202 advises 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’.

Paragraph 203 advises that ‘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’.

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

The proposal would address the street block and would make a positive contribution to the townscape and enhance the setting and character of potentially affected heritage assets. This would sustain their value as there are substantial public benefits which would be derived from the proposal which would outweigh any harm to the setting which would be caused by the loss of the meanwhile greenspace

currently on the site. That harm is necessary both to secure those benefits, to fully realise the optimum viable use of the site and secure its wider potential in urban design terms

NPPF Section 14 (Meeting the challenge of climate change, flooding and coastal change) -The site is located in a highly sustainable location, close to public transport services. A condition would require the submission of an Energy Statement demonstrates that the development would accord promote the responsible development of energy efficient buildings and it would meet the requirements of the target framework for CO2 reductions from low or zero carbon energy supplies.

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

NPPF Section 15 (Conserving and enhancing the natural environment), Information regarding the potential risk of various forms of pollution, including ground conditions, air and water quality, noise and vibration, waste and biodiversity have demonstrated that the proposal would not create significant adverse impacts from pollution. Surface water run-off and ground water contamination would be minimised.

There are four existing trees on the site of which one is to be removed to facilitate the development. An Ecology Report concludes that the site does not possess any significant wildlife value with no evidence of specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected. The site is adjacent to a grade B Site of Biological Importance (SBI): Ashton Canal (West). The ecological report recommends that a Construction Environmental Management Plan (CEMP) be produced to protect the canal during construction and this shall be conditioned. Impacts could be offset by enhancements delivered as mitigation off the site. An Arboricultural Report concludes that the trees on site are in poor to moderate condition due to their age and nature.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the context of growth and development objectives. The proposal should exploit opportunities and this is discussed in more detail below. There would be no adverse impacts on blue infrastructure. The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy details the measures that would be undertaken to minimise the production of waste during construction and in operation.

Policy DM 1- Development Management - Outlines a range of general issues that all development should have regard to and of these, the following issues are or relevance to this proposal:- appropriate siting, layout, scale, form, massing, materials and detail; design for health; impact on the surrounding areas in terms of the design, scale and appearance of the proposal; that development should have regard to the

character of the surrounding area; effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation; accessibility to buildings, neighbourhoods and sustainable transport modes; impact on safety, crime prevention and health; adequacy of internal accommodation, external amenity space, refuse storage and collection, vehicular access and car parking; and impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

The above issues are considered in detail in below.

Other relevant documents

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

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

It is considered that the following design principles and standards are relevant to the consideration of this application:

Each new development should have regard to its context and character of area. The design, scale, massing and orientation of buildings should achieve a unified urban form which blends in and links to adjacent areas. Increased density can be appropriate when it is necessary to promote a more economic use of land provided that it is informed by the character of the area and the specific circumstances of the proposals;

Developments within an area of change or regeneration need to promote a sense of place whilst relating well to and enhancing the area and contributing to the creation of a positive identity. There should be a smooth transition between different forms and styles with a developments successful integration being a key factor that determines its acceptability;

Buildings should respect the common building line created by the front face of adjacent buildings although it is acknowledged that projections and set backs from this line can create visual emphasis, however they should not detract from the visual continuity of the frontage;

New developments should have an appropriate height having regard to location, character of the area and site specific circumstances;

Developments should enhance existing vistas and create new ones and views of important landmarks and spaces should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises;

Visual interest should be created through strong corner treatments which can act as important landmarks and can create visual interest enliven the streetscape and contribute to the identity of an area. They should be designed with attractive entrance, window and elevational detail and on major routes should have active ground floor uses and entrances to reinforce the character of the street scene and sense of place.

For the reasons set out later in this report the proposals would be consistent with these principles and standards.

HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018)

The site lies within the north west of the SRF Area. This transport node plays a critical role in the city's economic regeneration. Significant investment is focused around Piccadilly Station and an SRF in 2018 aims to create a major new district based around a world class transport hub. This would ensure that the City can capitalise on the opportunities presented by HS2 and the expansion of the Station. The overarching objectives are to improve the attractiveness of the area to investment; improve physical connections and permeability; provide destinations for social and cultural activity; and provide job opportunities for local people.

The SRF identifies increasing density as crucial to sustainable growth and long term economic competitiveness. It is envisaged that the area around this site would include apartments, townhouses, smaller office floor plates, retail, cafes and bars. The Masterplan suggests a densely developed area with building heights of 8-12 storeys and the proposal at 4 and 11 storeys is consistent with those parameters. The proposal would complement this next phase of growth in Manchester, deliver strategic regeneration objectives and improve visual connectivity between the City Centre and nearby communities

Portugal Street East Strategic Regeneration Framework (SRF) 2018

The Portugal Street East SRF is adjacent to the proposed HS2 station entrance. The SRF aims to secure comprehensive delivery of a vibrant and connected neighbourhood that contributes towards Manchester's economic growth objectives in a sustainable way which includes areas of high quality public realm and other infrastructure between development plots. The proposal would complement these objectives.

Ancoats and New Islington Neighbourhood Regeneration Framework

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

Manchester City Centre Strategic Plan

The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the city centre continues to consolidate its role as a major

economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over period of the plan, updates the vision for the city centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the city centre neighbourhoods and describe the partnerships in place to deliver those priorities

The site of the current planning application falls within the area designated as Piccadilly. This identifies the wider Piccadilly area as having the potential for unrivalled major transformation over the coming years and notes that the additional investment at Piccadilly Station provided by HS2 and the Northern Hub represents a unique opportunity to transform and regenerate the eastern gateway to the city centre, defining a new sense of place and providing important connectivity and opportunities to major regeneration areas in the east of the city.

The City Centre Strategic Plan endorses the recommendations in the HS2 Manchester Piccadilly SRF

The proposal would be complementary to the realisation of the opportunities set out above. It would complement the process of establishing a sense of place that would be delivered as part of the delivery of recent approvals within the adjacent Portugal Street East Neighbourhood. It would, along with other pipeline developments start the process of delivering strong visual connections between Piccadilly and the communities of East Manchester whilst strengthening physical and visual links between the City Centre and those key regeneration areas beyond.

Manchester Residential Quality Guidance (July 2016) (MRQG)

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

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

Stronger Together: Greater Manchester Strategy 2013

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

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

Other National Planning Legislation

Legislative requirements

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

S149 (Public Sector Equality Duty) of the Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is among the protected characteristics

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

Principle of development and the Schemes Contribution to Regeneration and Housing Delivery

The City centre is the primary economic driver of the region. The provision of new homes is critical to its economic growth and ongoing regeneration. This is a suitable location for new homes, particularly in highly sustainable locations.

The four 3 bedroom homes would meet City Council space standards and be attractive to all, including families. The homes would have roof terraces and balconies. Integral garages would provide for car and cycle parking.

Employment would be created during construction and a local labour agreement would secure jobs for Manchester residents.

The proposal would represent an efficient use of a brownfield site in a highly sustainable location close to major transport hubs. .

Climate change, sustainability and energy efficiency

The site is accessible by sustainable modes and is close to public transport facilities

A condition would require a full Environmental Standards statement to be submitted identifying measures that could be incorporated across the lifecycle of the development to ensure high levels of performance and long-term viability, and ensure the feasibility of incorporating Low and Zero Carbon technology options have been analysed.

There is limited scope for landscaping but the homes have recessed balconies and roof top terraces and a landscaping condition requires details of biodiversity enhancements. A condition would require offsite tree planting to ensure there is a net gain of trees.

The homes have integral garages fitted with a 7 Kw Electric Vehicle charging point. It would also provide secure cycle storage.

Impact of the historic environment and cultural heritage

The site is not in a Conservation Area and does not contain any listed buildings or structures, however nearby listed buildings could be affected. The area contains a mix of medium to low rise apartment buildings and former warehouses.

This part of the site is used for parking, access and servicing. A storage building previously occupied the site and part of the structure overhanging the canal.

The Grade II listed Junction Works and Stables buildings are visible across the site from the canal towpath. The site has at best a neutral impact on the setting of these listed buildings.



Historic photograph of application site dated 1093. The application site was occupied by the building to the left with the canopy over.

A heritage assessment has considered the impact on nearby listed buildings as required by paragraph 194 of the NPPF.

The listed buildings affected are:

The Stables (Grade II) directly to the North was constructed in the early to mid C19th and has group value in association with the canal and related structures and form a characterful area of former industrial buildings on Ducie Street.

Junction Works (Grade II) was constructed in the early to mid C19th and fronts Ducie Street. It has group value in association with the canal and related structures and form a characterful area of former industrial buildings on Ducie Street. Modern developments around the Stables and Junction Works has altered the urban context of this group.

Store Street Aqueduct (Grade II*) to the south east further along the Ashton Canal tow path was constructed in c.1794-99 and is 'probably one of the earliest canal aqueducts with a skewed arch'. Its significance is derived from its aesthetic and historic value as a rare survival of an innovative engineering form.

The impact on the significance of the heritage assets has been considered against the tests in the NPPF and would cause a low level of harm. There would be some heritage benefits from removing this vacant site from the setting of the heritage assets including reinstating the historical pattern of development and setting to the listed buildings. The key conclusions and impact on the significance of the heritage assets is as follows:

The Stables (Grade II) The proposal would be viewed in its setting and obscure views from the Canal towpath being 2/3 storeys higher. The stables building was originally obscured by a brick built industrial building that abutted the canal. The stables building once formed part of a wider dense industrial landscape, and thus the impact on the listed building is therefore negligible.

Junction Works (Grade II) has been converted into residential use. The proposal is approximately 40 metres away allowing the building to remain legible and understood in this context. The proposal would not affect views from Ducie Street but would obscure views from the Canal towpath. As with the Stables building, Junction Works once formed part of a wider dense industrial landscape, and thus the impact on the listed building is therefore negligible.

Store Street Aqueduct (Grade II*) The principal views of the aqueduct are from Store Street. The proposal would be screened from view by existing built form and change in levels and the setting of the aqueduct would remain legible and understood in this context. The impact on the listed structure is therefore negligible.

This small scale infill development would be seen in the same context of a number of heritage assets and in most instances would result in a low level of less than substantial harm to their setting and significance. The heritage assets would remain

legible and understood and any harm would be outweighed by public benefits that this development would bring as required by the paragraph 202 of the NPPF. These public benefits are considered in detail below.

Impact Assessment

The proposal would result in instances of very low-level harm through changes to the setting of The Stables and Junction Works, which would be less than substantial harm.

It is necessary to assess whether the impact suitably conserves the significance of the heritage assets, with great weight given to its conservation (and the more important the asset, the greater the weight should be) (paragraph 199 NPPF). Any harm should be outweighed by the public benefits that would be delivered. In assessing the public benefits, consideration has been given to paragraph 8 of the NPPF which outlines the three dimensions to achieve sustainable development.

The sites vacant condition has, at best, a neutral impact on the surrounding heritage assets. The site would be regenerated in line with Council policy with four homes. It would reinstate the historic built form along the towpath and provide some activity. Views of the two listed buildings would be obscured from certain viewpoints on the canal, but they were designed to be viewed as part of a dense industrial landscape, and none had a formal, open setting when originally built. The proposed would incorporate an historic section of wall including the arch, of the existing southern boundary wall.

The proposal would use red brick and the regular fenestration responds to the industrial heritage of this part of the City and is reflective of nearby former industrial buildings. The use of black brick, glazed recessed entrances, and recessed brickwork panels add interest and articulation.

The development would meet sustainability objective with highly efficient building fabric meeting low carbon objectives. There would job creation through the construction process.

The heritage impacts would be at the lower end of less than substantial harm with the public benefits associated with this development outweighing this low level of harm.

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

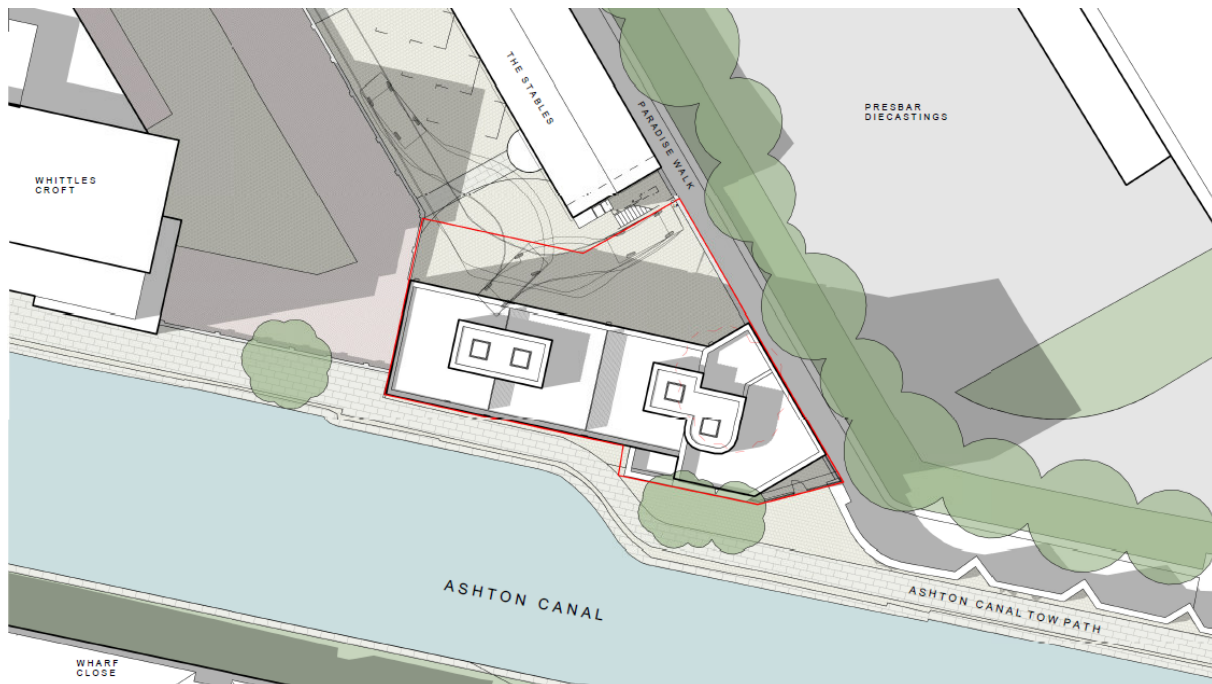
Impact on Archaeology

The site is in an area of archaeological interest. An Archaeological Desk Based Assessment concludes that the site encompasses the earliest part of a warehouse that is shown on Swires' map of 1824, the southern wall of which may be surviving as the southern site boundary wall containing the gateway. The proposal incorporates

the historic section of the boundary wall. A condition requires a watching brief during groundworks to record any further remains which may be uncovered.

Layout, scale, external appearance and visual amenity

Four townhouses are proposed fronting the Ashton Canal. Access would be from an access to Paradise Walk via Ducie Street. The built form to the Ashton Canal would help redefine the towpath edge and reinstate the historical form of development. The siting of the built form would provide natural surveillance to the towpath. Pedestrian access for 3 of the 4 homes would be from the car parking court. The fourth homes would have due access from the towpath and the courtyard.



Layout of the site

The scale of the townhouses, at part four, part five storey, has been informed by the scale and massing of adjacent developments. The overall height and massing has been minimised with the fifth floor only covering part of the roof and positioned centrally giving the effect of a four storey building.

The Stables and Whittles Croft apartments are two and seven storey respectively. The siting of the proposal creates sufficient space between the buildings to ensure the proposal is not over dominant.



Elevation to the Ashton Canal

A simple palette of materials is proposed with masonry, brick detailing, contrasting glazed brick and metal windows. This reflects the historic development in the area and former industrial buildings. A regular grid of windows, arranged vertically and horizontally, would be set in deep reveals and recessed balconies provide depth. Windows would be slim profile aluminium frames.

The main part of the façade would be red brick with glazed recessed entrances. Recessed brickwork panels add interest and articulation. Ceramic cladding would be used for the fifth floor rooftop element.



Bay study showing main façade to the towpath including brick work, recessed balcony and ceramic cladding together with brickwork detailing to the ground floor



Key Study 1 - Elevations

Elevation facing the Paradise wharf complex with glazed brickwork detailing to the ground floor entrances

It would not appropriate to have full height ground floor windows adjacent to the canal towpath. Projecting brickwork and high-level arched windows would create interest on the towpath whilst providing security to the ground floor accommodation. Conditions would ensure that the development is delivered to the right quality.

Car Parking, cycle parking and relationship to public transport infrastructure

The highly accessible location would encourage the use of more sustainable forms of transport. Each dwelling would be fitted with a 7-kw electric vehicle charging point and secure cycle storage. The impact on the local highway network would be no acceptable and the access would not impact on the existing car parking layout or means of access.

11 parking spaces that are used in association with the Stables office building would be lost. The agent has confirmed that the office development is under the same ownership as the application site, and that these spaces are underused.

The applicant has purchased 4 parking leases on the Whittles Croft site for potential future use for The Stables tenants should there be future demand. None of these are currently let to Stables tenants, 2 are let to private individuals living or working in town, two currently unused.

Given that the site is in a highly sustainable location close to a variety of public transport hubs, the loss of the parking spaces is not considered to have any unacceptable impacts on office occupiers or on parking in the vicinity.

On the basis of the above the proposals are consistent with Core Strategy Policies DM1, T1 and T2.

Effects on the Local Environment/ Amenity

Privacy and Overlooking

There would be windows on the side elevation of the proposal facing the Whittles Croft apartments in order to prevent overlooking to the existing windows. There would be windows facing The Stables office building, which contains an access door to an external staircase. The proposal would be 40 metres from the nearest windows at Junction Works and would be sited perpendicular to it.

The main elevations, facing onto the Canal towpath and Paradise Walk, would contain windows. The closest residential development on the opposite side of the Canal is 25 metres away.

Daylight, Sunlight and Overshadowing

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

The following homes were assessed:

- Jutland House;
- Whittle Croft Wharf
- Junction Works;
- 5 Wharf Close; and
- 10 Wharf Close.

In determining the impact on daylight and sunlight, consideration should be given to paragraph 123 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise

inhibit making efficient use of a site, as long as the resulting scheme would provide acceptable living standards.

The BRE guidelines provide advice about daylight to existing residential buildings around development sites. The light available to a window depends on the amount of unobstructed sky that can be seen from the centre of the window. The amount of visible sky and amount of available skylight is assessed by calculating the vertical sky component (VSC) at the centre of the window. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. They also suggest that distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.

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

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

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

A summary of the daylight impacts are detailed below:

Name/Address of Building	Percentage of Windows Compliant for VSC Daylight	Percentage of Rooms Compliant for NSL Daylight	Percentage of Rooms Compliant for APSH Sunlight
Jutland House	85/85 (100%)	68/68 (100%)	7/7 (100%)
Whittle's Croft Wharf	65/65 (100%)	35/35 (100%)	5/5 (100%)
Junction Works	60/60 (100%)	33/35 (100%)	16/16 (100%)
5 Wharf Close	13/13 (100%)	13/13 (100%)	N/A
10 Wharf Close	3/3 (100%)	3/3 (100%)	N/A

The above table demonstrates that all of the properties surrounding the site would accord with the BRE target criteria for daylight and sunlight with the proposal in place and the impact on daylight and sunlight would be negligible.

Air Quality

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

Good on site practices during construction would ensure that dust and emissions would not result in significant impact on local air quality conditions.

When the development is occupied, the occupants would have access to public transport in this highly accessible location and amenities and services are nearby. Parking spaces would be fitted with an electric vehicle charging point to minimise vehicle emissions.

Noise Given the low-density nature of the development and the number of units, noise and disturbance from comings and goings would be negligible. A Noise Impact Assessment demonstrate that noise would not adversely affect the residential amenity of future occupiers. The report confirms the dominant noise source across the site is road traffic from Ducie Street and the surrounding road network.

The report recommends noise mitigation measures and a condition would seek further information about ventilation to ensure occupiers are not required to have windows open leading to excessive internal noise levels. The proposal would not lead to adverse impacts on neighbouring occupiers and would provide future residents with a high standard of amenity. The proposed would accord with Core Strategy policy DM1 Saved Unitary Development Plan policy DC26.

Waste and Recycling There would be 4 bins for each home in the garage. They would be taken to a collection point on Ducie Street by the Management Company on collection day. The waste storage and collection strategy is acceptable to Highways and Environmental Health subject to a detailed condition.

Disabled access The scheme would be adaptable in response to changes individual circumstances e.g., caring for young children and declining mobility with age. The accommodation would have level access and corridors could accommodate a wheelchair and stairways suitable for a chairlift. In view of the above with respect to disabled access the proposals are considered on balance to be consistent with the requirements of Core Strategy Policy DM1 and DC7.

Flood Risk and Sustainable Urban Drainage Strategy The site lies within Flood zone 1 and is classified as a low risk site for flooding from rivers, sea and ground water. The site is in the Core Critical Drainage Area in the City Council's Strategic Flood Risk Assessment which requires a 50% reduction in surface water run-off as part of brownfield development. The drainage document has considered viable Sustainable Urban Drainage methods and further information would be required by condition. The proposals would comply with the principles of Core strategy Policy EN14 Flood Risk and consistent with section 10 of the National Planning Policy Framework.

Short term lettings Concerns have been raised by residents with regards to the properties used as short terms lets as these types of uses can lead to negative impacts on residential amenity and the character of the area. A condition would ensure that the properties cannot be occupied by the same person for less than ninety consecutive nights to ensure that the proposal forms part of a sustainable City Centre community and mitigate against any harmful impacts on residential amenity in accordance with DM1 and H11 of the Core Strategy for Manchester.

Crime and Disorder The increased footfall, additional residents and the improved lighting would improve security and surveillance. Security measures have been incorporated into the design which includes only high level windows to the canal. The scheme should achieve Secured by Design accreditation. A condition is recommended.

Contaminated Land A Phase 1 Preliminary Risk Assessment concludes that potential pollutant linkages associated with the site have been identified which may be active following the development of the site. A Phase 2 Environmental Site Investigation is recommended to determine the contamination status of soil beneath the site and to assess the risk posed by ground gas. Geotechnical testing is recommended to provide parameters to enable foundation, floor slab and road pavement design. A condition would require a site investigation and remediation strategy and a Completion/Verification Report to verify the recommended measure have been carried out.

Biodiversity and Wildlife Issues No statutory or non-statutory protected sites are on the site or immediately adjacent the boundary. The nearest statutory protected site is Clayton Vale Local Nature Reserve (LNR), 2.6km to the north-east. Rochdale Canal Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) is 4.9km to the north-east.

The nearest non-statutory protected site is Ashton Canal (East) Site of Biological Importance (SBI), 5m to the south. Manchester Green & Blue Action Strategy highlights that Manchester needs to be a green city and a growing city.

An ecology report found the site has negligible ecological interest, with the exception of a tree that provides sub-optimal nesting habitat for birds, due to its size.

The development presents an opportunity for biodiversity gain through soft landscaping. Other simple measures such as bird and bat boxes and bee houses could be incorporated in the landscape design to provide a net gain for Biodiversity. A condition requires a scheme for the Biodiversity Enhancement Measures. A condition would secure offsite tree planting to mitigate the loss of a tree.

Tree Removal One of the 4 trees on site would have to be removed. A Tree Survey notes that it is a category B tree of reasonable quality that has suffered some limb loss.



Whilst the loss of the tree is regrettable, it would be replaced by 3 trees planted off site through a planning condition.

Conclusion

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise. The proposals would be consistent with a number of the GM Strategy's key growth priorities delivering housing that is required to support a growing city centre economy and population. It would promote and support sustainable economic growth. The proposal would complement the residential uses within the immediate context and add to the housing mix in the City Centre.

The development would regenerate a previously developed site. The massing would relate well to the adjacent listed buildings and be in keeping with the character of the area and reinstate the historic built form. The scheme would add activity and vitality to the area and reintegrate the site into its urban context. reinforcing the character of the streetscape and adding activity to the canal towpath. Adjacent residential accommodation has enjoyed largely uninterrupted views across the site for some-time and it is inevitable that the proposal would have an impact on amenity. These impacts have been tested and are acceptable.

The clear public and regeneration benefits, including heritage benefits, which would result from the development would outweigh any adverse impacts, including impact on heritage assets and amenity. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 132 and 134 of the NPPF

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application and discussions regarding amendments to the proposals. This has led to the development of an acceptable final design.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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

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

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

Received by the City Council as Local Planning Authority on 22 December 2021:

Drawing no. 20005_0300 Site Location Plan
Drawing no. 20005_0302 Existing Site Sections
Drawing no. 20005_0301 Existing Site Plan

Planning and Heritage Statement, prepared by Paul Butler Associates

Ecology Assessment prepared by Rachel Hacking Ecology
Arboricultural Survey prepared by Murray Tree Consulting
Noise Impact Assessment prepared by dBx Acoustics
Air Quality Assessment prepared by Redmore Environmental
Daylight and Sunlight Report prepared by GIA
Phase 1 Preliminary Risk Assessment prepared by Clancy Consulting
UXO Desk Study & Risk Assessment prepared by Zetica
Flood Risk Assessment and Drainage Strategy Report prepared by Clancy Consulting
Archaeological Desk Based Assessment prepared by Paul Butler Associates
External Lighting Proposals prepared by Clancy Consulting

Received by the City Council as Local Planning Authority on 05 July 2022

Drawing no. 20005_0310 Proposed Site Plan REV P5
Drawing no. 20005_0311 Proposed Site Plan - Level 00 REV P9
Drawing no. 20005_0312 Proposed Site Plan - Level 01 REV P7
Drawing no. 20005_0313 Proposed Site Plan - Level 02 REV P7
Drawing no. 20005_0314 Proposed Site Plan - Level 03 REV P7
Drawing no. 20005_0315 Proposed Site Plan - Level 04 REV P7
Drawing no. 20005_0316 Proposed Site Plan - Level RF REV P7

Drawing no. 0350 REV P3 Landscaping level 00
Drawing no. 0351 REV P2 landscaping level RF
Drawing no. 0323 REV P5 Sections Sheet 1
Drawing no. 0324 REV P5 Sections Sheet 2

Drawing no. 0321 REV P8 Elevations Sheet 1
Drawing no. 0322 REV P8 Elevations Sheet 2
Drawing no. 0330 REV P6 Bay Studies - Sheet 1
Drawing no. 0331 REV P6 Bay Studies - Sheet 2
Drawing no. 0332 REV P6 Bay Studies - Sheet 3
Drawing no. 0333 REV P6 Bay Studies - Sheet 4
Drawing no. 0334 REV P6 Bay Studies - Sheet 5

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) (a) Notwithstanding the details submitted with the application, prior to commencement, except for demolition, clearance and below ground works the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

Samples and specifications of all materials to be used on all external elevations drawings to illustrate details of full sized sample panels that will be produced. 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, a programme for the production of the full sized sample panels and a strategy for quality control management; and

(b) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle;

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and drawings 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) The window reveals, soffits and vents for the development shall be carried out in accordance with drawings referenced 0330 REV P4, 0331 REV P4, 0332 REV P4, 0333 REV P4, 0334 REV P4 stamped as received by the City Council, as Local Planning Authority, on the 04 May 2022.

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

5) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to for approval in writing by the local planning authority, which for the avoidance of doubt should include:

- commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway.

- a dilapidation survey which should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

- details of an emergency contact telephone number;

- a community consultation plan and;

- sheeting of construction vehicles;

- a plan showing the areas of storage of plant, fuel/chemicals and materials used in constructing the development;

- include the steps to be taken to prevent the discharge of silt-laden run-off, construction site drainage, materials or dust or any accidental spillages entering the waterway;

- details of the environmental pollution incident emergency response;

- include measures to locate, clear, remediate and permanently seal any existing drains or culverts within the application site that may discharge to the canal.

-details specifying how the waterway corridor and its users would be protected during the works and include any details of proposed protective fencing/netting to be erected to safeguard the waterway infrastructure during site clearance/construction

Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

Reason - To safeguard the amenities of nearby residents, highway safety and the adjacent canal pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

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

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

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

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

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

7) No development shall take place until a construction environmental management plan to protect the Site of Biological Importance has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason - To ensure a satisfactory development delivered in accordance with the above plans pursuant to policies SP1, DM1, EN1, EN9 and EN15 of the Core Strategy.

8) No development shall take place until a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal infrastructure has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure, including the listed aqueduct;
- provide cross sections showing the distance from the aqueduct/canal/towpath to the proposed buildings and include foundations details and relative levels and written dimensions;
- include details of any water tanking system/containment within the buildings foundation design to prevent seepage/water penetration from the canal;
- Include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with demolition or construction of the building;
- details specifying how the canal and aqueduct will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- include the steps to be taken to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason: To protect the structural stability of the canal infrastructure which could be adversely affected by the development pursuant to Core Strategy Policy EN18.

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

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or

without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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

10) a) Prior to commencement, except for demolition, clearance and below ground works, a scheme for acoustically insulating the proposed residential accommodation against noise from the local traffic network 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.

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.

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 in accordance with Core Strategy Policy DM1 and Saved UDP policy DC26.

11) (a) Prior to installation, a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be completed before the premises is occupied.

b) Prior to the operation of the plant, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

12) The development shall not be occupied until details of the security measures to be incorporated into the development, which shall be to 'secured by design' specification, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

14) No development shall commence, except for demolition, clearance and below ground works until locations and a delivery programme for the offsite mitigation tree planting for a total of 3 trees has been submitted to and approved in writing by the City Council as local planning authority.

Reason: To ensure satisfactory mitigation for the removal of a tree from the application site is provided pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1.

15) (a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In interests of residential amenity in accordance with policies SP1 and DM1 of the Core Strategy.

16) The dwellinghouses hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason: To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 area, to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework and to ensure the permanent retention of the accommodation for normal residential purposes

17) Prior to the installation of any building lighting details of how this has been designed and would be operated to ensure that any impact on foraging bats would be negligible shall be submitted to and approved in writing by the City Council as Local Planning Authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or

along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed and operated in accordance with agreed specifications and locations set out in the strategy

Reason: In the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1.

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

1. Informed by the updated North West Regional Research Framework, a phased programme and methodology of investigation and recording to include:

i - an archaeological watching brief undertaken during groundworks (including ground-level reductions below modern overburden, the excavation of foundation trenches, drainage/service runs etc)

2. A programme for post investigation assessment to include:

i - analysis of the site investigations records and finds

ii - production of a final report on the investigation results.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out

within the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

19) Prior to commencement, except for demolition, clearance and below ground works, a scheme for the Biodiversity Enhancement Measures, as set out in section 5.3 of the 'Extended Phase 1 Habitat Survey by Rachel Hacking Ecology' dated September 2021, shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented prior to first occupation of the development and shall be retained thereafter.

Reason - To ensure a satisfactory development delivered in accordance with the above plans pursuant to policies SP1, DM1, and EN15 of the Core Strategy.

20) Prior to the first occupation of the development, details of electric car charging points within the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of the residential element of the development.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

21) (a) Prior to the first occupation of the development details of a hard and soft landscaping scheme shall be submitted for approval in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

22) Development shall not begin until a surface water drainage strategy for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy

23) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency and approved measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no building extensions or roof alterations shall be permitted to any of the residential units hereby approved, other than that expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

25) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved Arboricultural Survey prepared by Murray Tree Consulting received by the City Council on 22 December 2021; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

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

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

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

26) Notwithstanding the submitted drawings, prior to the first occupation of the development hereby approved, details of the cycle provision for each dwelling shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - 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).

27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no garage shall be used for any purpose and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The conversion of or alteration to the garage parking space could result in an unacceptable impact on amenity for residents of this accommodation or adversely impact on vehicle access and highway safety in order to comply with policies SP1 and DM1 of the Core Strategy.

Informatives

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

2) The applicant/developer is advised to contact the Canal & River Trust Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works comply with the Canal and River Trust 'Code of Practice for Works affecting the Canal and River Trust to ensure the waterways are protected and safeguarded.

3) Any boilers to be included in the development shall meet IAQM guidance

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: 132574/FO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**High Speed Two (HS2) Limited
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)**

**MCC Flood Risk Management
Urban Design & Conservation
Greater Manchester Police
Historic England (North West)
Greater Manchester Archaeological Advisory Service
United Utilities Water PLC
Canal & River Trust
Manchester Water Safety Partnership**

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

Representations were received from the following third parties:

Relevant Contact Officer :	Eve Woolstencroft
Telephone number :	0161 234 4533
Email :	eve.woolstencroft@manchester.gov.uk

