

Application Number	Date of Appln	Committee Date	Ward
117280/FO/2017	16 Aug 2017	19 Jan 2023	Piccadilly Ward

Proposal Erection of a five-storey (ground floor plus 4) building to provide 6 no. residential apartments (Use Class C3) (5 x 1 bed (1 person)) and (1 x 2 bed duplex (4 person)) above ground floor commercial unit (Class E), private roof terrace for the top floor duplex apartment, cycle parking (6 x spaces), refuse and plant room.

Location Land At Spear Street, Manchester

Applicant M4nchester One Ltd

Agent Rick Hilton, Northern Group

Executive Summary

The proposal would create 6 homes in a building that has been reduced in height from 8 to 5 storeys. 17 letters of objection have been received from 2 rounds of notification, 14 in respect of the original 8 storey proposal.

Key Issues

Principle of the proposal and the schemes contribution to regeneration: The development is in accordance with national and local planning policies, and would deliver economic, social and environmental benefits. This is a brownfield site in a highly sustainable location.

Economic: The homes would support the City's growing population which is a key economic driver and is vital to a successful and thriving economy. Jobs would be created during construction and in the ground floor commercial unit.

Social : A local labour agreement would prioritise Manchester residents for construction jobs. The activity at ground floor would improve the public realm on Spear Street and increase natural surveillance.

Environmental : This would be a low carbon development in a highly sustainable location. Car parking would not be provided on site with residents encouraged to walk, cycle and use public transport as part of the travel plan. Biodiversity improvements include bat and bird boxes. The site is contaminated, but the conditions are not unusual and do not present a risk to human health or the environment, subject to an appropriate remediation strategy. The height, scale and appearance would contribute to the area. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling.

Impact on the historic environment : Any harm to heritage assets would be less than substantial and at the lower end of that scale and would be outweighed by the economic, social and environmental public benefits of the scheme, in accordance with the provisions of paragraphs 197, 199 and 202 of the NPPF and section 72 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact on local residents : The impact on daylight/sunlight and overlooking are considered to be acceptable. Construction impacts would not be significant and can be managed. Noise outbreak from plant would meet relevant standards and the operational impacts of the accommodation can be managed.

A full Report is attached below for Members consideration.

Background

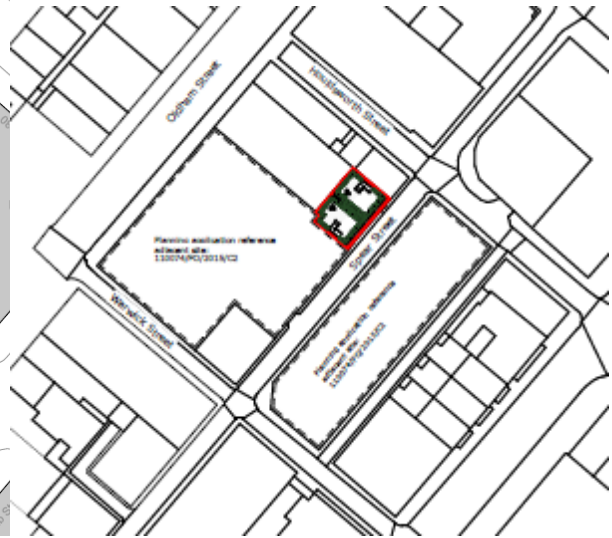
This application was originally submitted in 2017 for the erection of an eight storey building to provide 11 apartments (Use Class C3) with 8 one bed and 3 two bed, with a ground floor entrance lobby, an eight floor private roof terrace for 2 apartments, cycle parking (12 x spaces), refuse store and plant room. The proposal has subsequently reduced to 6 homes in a 5 storey building in order to address rights of light issues.



Previous design proposal.

Site Description and Planning History

This 0.01 ha. site has been vacant since 2009, following the demolition of the 3 storey Crosby and Walker warehouse, for health and safety reasons. The site is part of a larger block bounded by Houldsworth Street, Oldham Street, Warwick Street and Spear Street. Its only frontage is to Spear Street and it is enclosed by the 1 storey rear portion of 84 to 86 Oldham Street, 6 Houldsworth Street and the recently completed 4/5/6/7/8 storey The Quarters development at 76-82 Oldham Street (referred to below in objectors comments as the Kempton Homes development). On the opposite side of Spear Street is a 3 /5 storey residential block which is part of the same development. The site is directly overlooked by properties at 2-4 Houldsworth Street. The site is currently used as a temporary external seating area for the Koffee Pot at 82-84 Oldham Street.



Site Edged Red

Previous building site plan

The site is in the Stevenson Square Conservation Area and on the edge of the Smithfield Conservation Area. The previous 3 storey red brick warehouse had Flemish bond brick with carved stone dressings. 4-10 Bradley Street are Grade II Listed and the site is a short distance from 69 – 77 Lever Street, the Grade II listed Castle Hotel and Grade II listed City public house.



View A



View B

Views of Site with adjacent The Quarters development



Former warehouse building that occupied the site



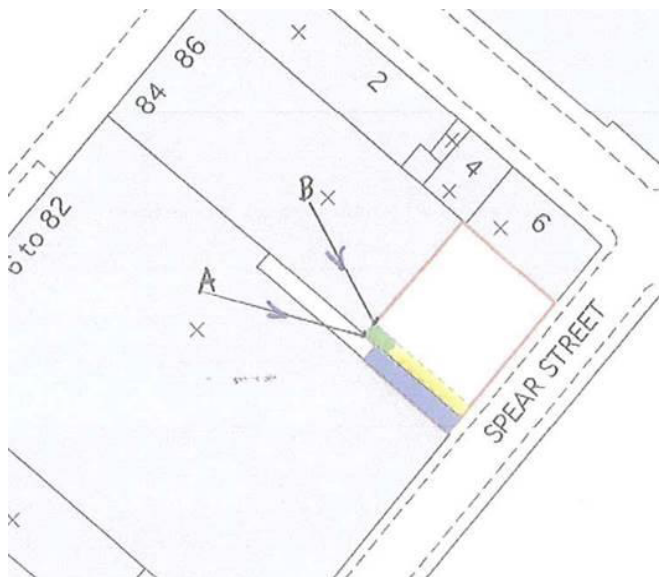
Aerial view prior to The Quarters construction

This area contains a mix of late 19th and early 20th century commercial buildings, with a grid form street plan that was based around high density artisan housing. Small areas of late 18th and early 19th century housing, and parts of the 19th century wholesale markets remain at Smithfield. The sites immediately around the

site comprise cleared sites, surface car parks, modern and Victorian Buildings and more recently the contemporary The Quarters development.

Spear Street is narrow and is a back street in relation to Lever Street and Oldham Street which run parallel to it. There is little activation on Spear Street, and it contains fire exits, car park, M&E vents and bin stores open. The urban environment is poor and anti-social behaviour occurs.

The previous owner has retained a legal right of access across the site from the rear 84 to 86 Oldham Street to Spear Street.



2010 Easement (area in blue is amended right of way for 84-86 Oldham Street)

The site is in the Northern Quarter which contains digital, media and technology-based companies; creative and cultural industries; homes; offices, hotels and serviced apartments, retail and independent bars and restaurants. Homes are adjacent at 84-86 Oldham Street, 90-94 Oldham Street, 4 Houldsworth Street, 53 and 95 Spear Street.

Building heights vary from 3 to 8 storeys. Buildings on Spear Street vary between 2 and 8 storeys. The majority are between 3 and 5 but they step up in height towards Great Ancoats Street. On Oldham Street north of Hilton Street there are buildings from 2 to 6 storeys. To the rear, the Hive is 4 to 7 commercial storeys.

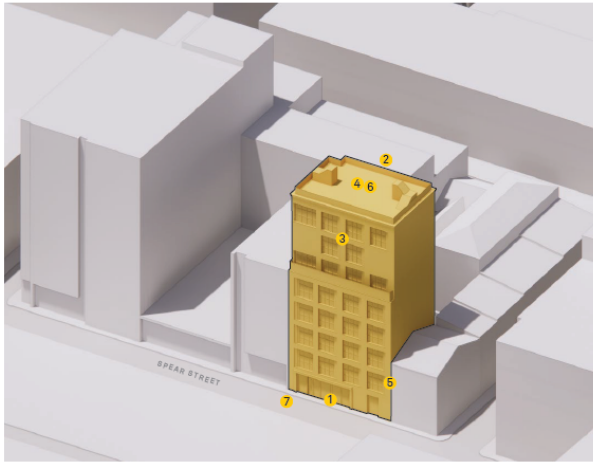
The site is close to Piccadilly Station, Metro link, Metroshuttle and bus services. It is in Flood Risk Zone 1 and is classed as at low risk and is within a critical drainage area.

Description of Proposals

Consent is sought to erect a five-storey building to provide 6 apartments, 5 one bed and 1 two bed duplex with a ground floor commercial unit (Class E). The duplex

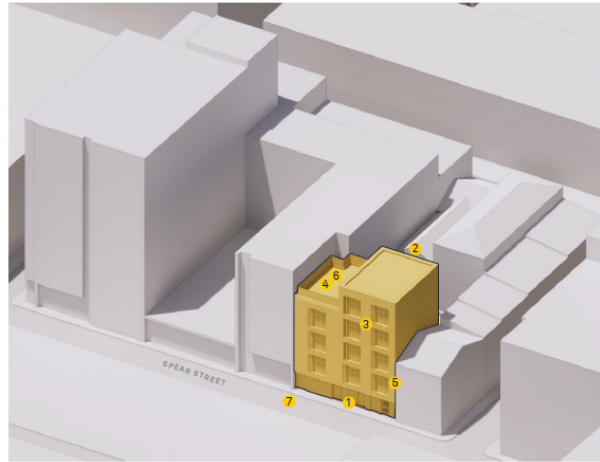
apartment would have a private roof terrace. There would be 6 cycle parking spaces and a refuse store and plant room at ground floor.

ORIGINAL PROPOSAL:

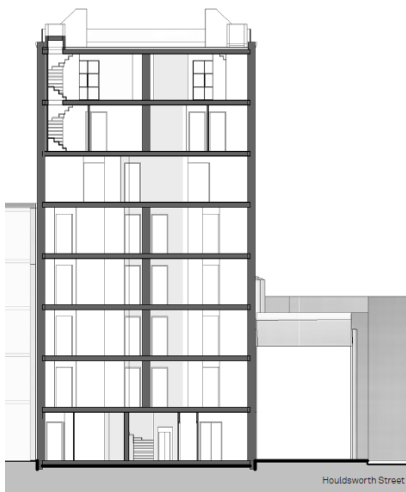


Original Proposal

REVISED PROPOSAL:

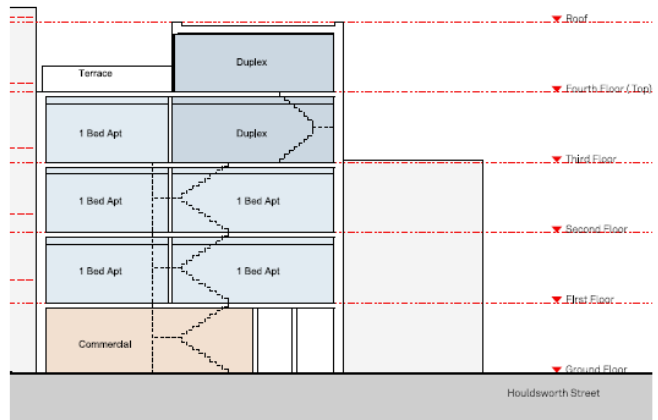


Amended Proposal



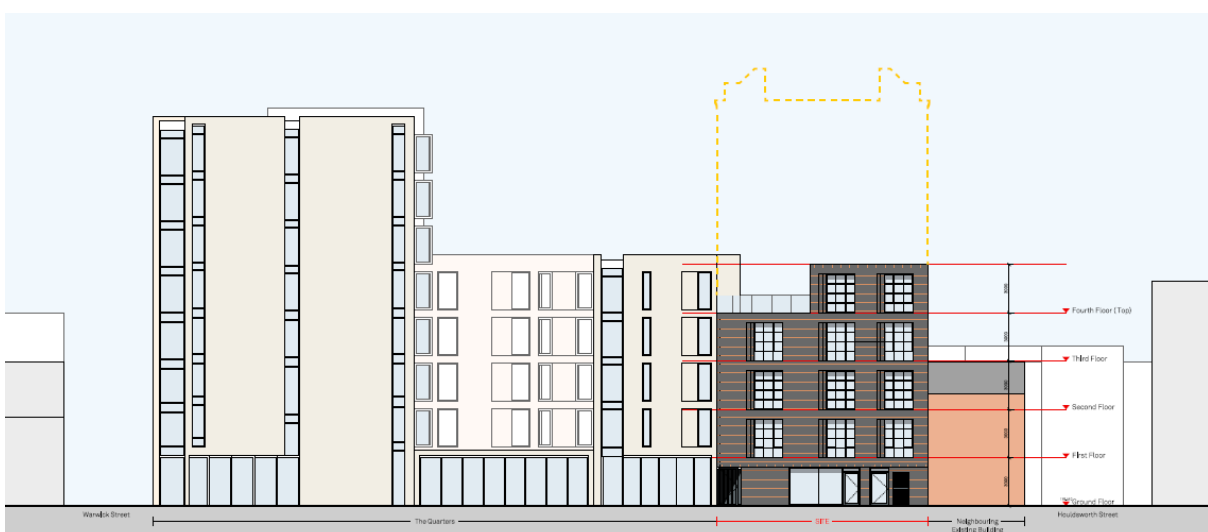
ORIGINAL PROPOSAL:

Original section



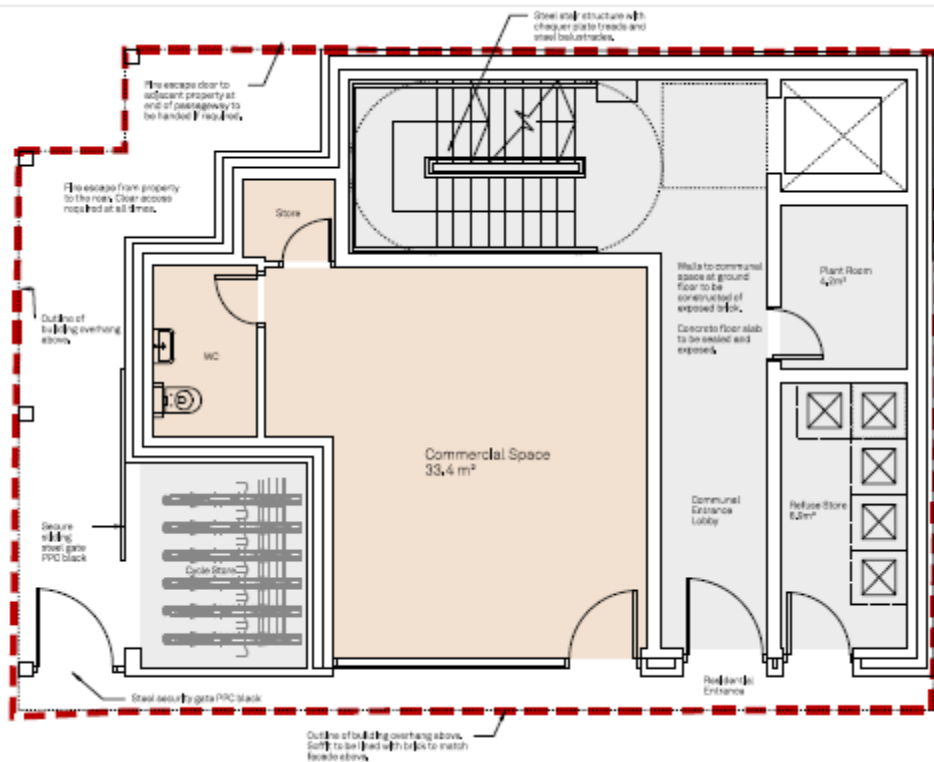
REVISED PROPOSAL:

Amended section



Height of previous proposal

The facades would be red brick with anodised black metal framed crittal style windows. The windows would have a similar regular rhythm to the warehouse that previously occupied the site. A pattern of 3 windows would repeat on Spear Street except for the 5th floor which would have 2 windows. The Oldham Street facing elevation would have 2 smaller windows. Ventilation would be through the window head rebates. The ground floor entrance lobby and commercial unit on Spear Street would be glazed and provide street activity. A right of access across the site for Koffee Pot would be maintained to Spear Street and could provide a means of escape.



Servicing would be from Spear Street and waste would be split into the following bins, collected weekly: Blue - Pulpable material (recycled) - paper, cardboard, tetrapak etc Brown - Co-mingled material (recycled) - glass, cans, tins, plastic etc Green - Organic waste (recycled) - food stuffs etc Black General waste (non-recycled) - all non-recyclable. The number of bins has been calculated from City Council document 'GD04 Waste Storage and Collection Guidance for New Developments V2.00 -0 Citywide Support - Environmental Protection (Sept 2014).

The development would be a private rented sector (PRS) product which the applicant would retain and manage. A summary of the pre-application consultations including with local residents has been submitted.

CONSULTATIONS

Publicity – Adjacent occupiers were notified, the development was advertised in the local press as a major development which would affect the setting of a conservation area and site notices were placed adjacent to the site. 14 letters of objection were received on the original scheme which are summarised below:

Summary of objections Land at Spear Street Some objectors have stated that their objections are not the development of the site, which they generally welcome but to the form of development and the proposed use.

Fit with Planning Policy The proposals would result in an unsustainable development which would be contrary to the following policies:

Manchester Local Development Framework Core Strategy Plan 2012 - EC3 (Regional Centre), CC9 (Design & Heritage), DM1 (Development Management), EN1 (Design Principles & character areas), EN2 (Tall Buildings), EN3 (Heritage), EN19 (Waste) SP1 (Spatial Principles), H1 (Overall Housing Provision), H5 (Central Manchester) CC3 (Housing), CC5 (Transport), CC7 (Mixed Use Development), CC10 (A place for Everyone), H1 (Overall Housing Provision), T2 (Accessible Areas of Opportunity), EN6 (Target Framework for CO2 reductions), PA1 (Developer Contributions)

Saved policies of the Unitary Development Plan -DC7.1, DC26.1, DC26.2 and 26.4

Guide to Development in Manchester SPD (2007) -Section 2. Adaptability: Accommodate change, 3. Accessibility Design for access, 4. Environmental Standards 6. Parking, 7. Housing Density and Mix, 10. Internal Design Principles

Manchester Residential Quality Guidance -Make it HAPPEN, Make it MANCHESTER, Make it BRING PEOPLE TOGETHER, Make it A HOME, Make it FUTURE PROOF, Make it ANIMATE STREETS AND SPACES, Make it PRACTICAL.

Use / Type of Accommodation Proposed -A mixed use development such as some form of business at ground level and flats above would be a much better fit with the area;

Privacy and Overlooking and Impact on Sun light and Daylight Levels -The proposals would have an unacceptable impact in terms of overlooking of adjacent properties and as a result on the current levels of privacy; The Report from Hoare Lea demonstrates that the existing residential units in 84/86 Oldham Street will be deprived of daylight and will require artificial light during daytime. The applicants have used the adjoining Kempton Homes permission as justification for much of their design arguments. However, when it comes to The Daylight Submission Analysis the Kempton Homes Scheme is conspicuous by its absence. To ensure that a robust planning case is put forward if a further report is undertaken then it should also include full detailed NSL and ADF tests. There is also a need to consider the cumulative impact with the adjacent approved Kempton Homes scheme.

Design issues -The proposed building would be overdevelopment of this site and the tallest building in the area / block and its scale is therefore not appropriate to the context which in terms of overall character of low rise with buildings of less than 5 storeys or the plot size; The proposals should better reflect and compliment the character of neighbouring buildings; Taller buildings within the street block should generally frame corners, the centre of an urban block with no directly adjoining

streets leading to that block should not be used for 'landmark' development; The proposed height would set a precedent for other developments coming forward in the area; The proposed development density is excessive for a site of this size at 846 dwellings per hectare compared with the adjacent Kempton Homes approval at 454 per hectare; The proposed building would not compliment the character of the Northern Quarter and its Conservation Areas; The proposals at ground floor would not adequately animate the street scene; The scheme is neither accessible nor adaptable and fails to meet the standards set out in Design for Access 2;

Housing Mix and Dwelling Size -The proposals are primarily for 1 bed apartments whereas the City normally has a limit on this of 33% - this would not offer sufficient choice or mix of housing in line with the City's aspirations; The dwellings would have a net internal area of 40sqm below the 50sqm specified within the National Prescribed Housing Standards; The proposals would not provide high quality city centre living and would not be sufficiently future proof in terms of adaptability.

Noise and impact on amenity - Construction noise will cause unacceptable disturbance to existing residents; Concerns have already been raised by Environmental Health officers dealing with previous planning applications on adjacent sites about the potential impact of the operation of some businesses within A3/ A4 use classes on adjacent residential dwellings and this application would intensify that potential; The roof top garden could become a source of antisocial behaviour particularly if uses as Air B and B rentals;

Other -The proposed development would compromise fire escape and maintenance access provision for adjacent properties; No parking is provided as should be required to accommodate child friendly households, the elderly and disabled; Vehicles parking to unload outside of the property would block traffic; There is inadequate provision for waste storage and recycling at source; There is only amenity space for residents of the top floor apartments rather than the provision of a communal space; The site is only vacant because the owner did not renew a previous lease that allowed parking on the site; Adjacent basements could be adversely affected by the building of foundations; As part of the public consultation referred to in the supporting information there has been no direct contact with adjoining landowners; The applicant has not shown how they intend to deal with established rights of access / egress in delivering this scheme. Failure to deal with the adequately could impact on the viability of adjacent businesses and lead to job losses. Tall Buildings policy requires evidence of deliverability, and these rights would render the submitted scheme undeliverable and the applicants acknowledge that the scheme is unviable; The development of any site should be taken on planning grounds irrespective of commercial considerations. The applicant claims that a lower development would result in a negative land value yet there are no abnormal costs associated with this site. All the consent will do is raise the land value and that of adjacent plots to unsustainable levels that will result in more undelivered development potential due to land speculation on the basis of aspirations about acceptable scale and massing in the area. The applicants cannot be allowed to justify overpaying for the site by the City accepting an inappropriate level of development of the site; Lifts would be obstructed by cupboards; The development would not fulfil the City's policy requirements in relation to Energy

Efficiency; There is no S106 money or affordable housing contribution being offered as part of the application.

A further 3 letters of objection have been received following a second round of notifications, site notice and re-advertising (as above) carried out following submission of the revised scheme. These are additional objections and raised the following additional points which are summarised below:

Design issues -The developers haven't taken into account the visual impact of the development on adjacent residential properties. There is nothing in the submission which shows the development in relation to adjacent buildings.

Amenity -The proposed building will remove the last open space surrounding the flat roof to the rear of The Koffee Pot premises impacting adversely on properties overlooking that space. The building will intensify the noise from the recently installed air conditioning unit and fume extract from Koffee Pot meaning that residents overlooking the site will not be able to open windows and doors. The construction of this new building will block any free flow of natural air and the stale fat and cooking fumes will linger over the flat roof resulting in a loss to our right to breathe air of good quality. The proposals would have an adverse impact on TV reception in adjacent properties. Any permitted construction hours should be during reasonable days and times residents have already had to put up with 4 years of construction impacts on the adjacent sites where they have worked long hours and weekends. There would be windows overlooking adjacent balconies

Traffic Impacts - There simply isn't space for this development to be constructed. Recent construction has made it difficult for properties to be accessed for the carrying out of repair / remedial works within adjacent buildings. Spear Street is too narrow for trucks of any size beyond everyday delivery trucks, and both of these roads provide service access for local businesses along Spear Street

Manchester Conservation Areas and Historic Buildings Panel – felt the original scheme had good articulation and provided an interesting response to the site and area. The height was acceptable, and a great deal of effort had been put into the design which added a new layer to the evolution of the area. They raised concern about overlooking and questioned whether this would affect the development of adjacent sites.

Historic England – Have no comments.

The Head of Neighbourhood Services (Highway Services) – Has no objections subject to any redundant vehicle access points on Spear Street being reinstated as footway.

Head of Regulatory and Enforcement Services (Environmental Health)- Has no objections and has recommended conditions relating to the storage and disposal of refuse, acoustic insulation of the accommodation (including against plant on adjacent properties), acoustic insulation of associated plant and equipment and the hours during which deliveries can take place. Advice has also been given about appropriate working hours during construction.

Head of Regulatory and Enforcement Services (Contaminated Land) - no objections subject to a condition relating to a full site investigation being carried out in respect of contaminated land and the need for details of remedial measures.

Strategic Housing – No comments received.

Flood Risk Team – no objections and recommend conditions relating to requirement for the adoption of SUDs.

Environment Agency - No objections and recommend conditions to mitigate the risks to adjacent ground and controlled waters and have recommended that guidance set out within their document 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' is followed as appropriate.

Greater Manchester Archaeological Unit – o objections and are satisfied that this scheme would not impact on any archaeological interest.

Transport for Greater Manchester – the number of units is below their threshold for a highways impact review but welcome the cycle parking.

Greater Manchester Police (Design for Security) – no objections subject to compliance with the recommendations of the Crime Impact Assessment.

United Utilities – No comments received.

Greater Manchester Ecology Unit – no objection subject to a condition relating to biodiversity measures comprising bat and bird boxes being secured through a condition.

Issues

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

Strategic Spatial Objectives

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

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

SO2. Economy The scheme would provide jobs during construction and permanent employment and facilities in a highly accessible location. The employment would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

S03 Housing Economic growth requires housing in attractive places. This is a sustainable location where there is a presumption in favour of high quality and density housing. The development would address demographic need and support economic growth.

S05. Transport The development would be highly accessible, reduce the need to travel by private car and use public transport effectively. Sustainable transport networks would improve physical connectivity and enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

S06. Environment The development would seek to protect and enhance the natural and built environment and ensure the sustainable use of natural resources to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; and, ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP 1 (Spatial Principles) - The proposal would have a positive impact on visual amenity and the character of the area the development would remove the feeling of dilapidation from the site and improve levels of street activity and natural surveillance. The scheme would be high quality and complement existing and recent developments would improve the area and contribute towards the creation of a balanced neighbourhood. It would create a high quality neighbourhood for residents to live in which protects and enhance the built and natural environment

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

Policy EC1 (Land for Employment and Economic Development) – The proposal would develop a highly accessible site and would support employment growth. It would provide jobs for local people in construction and in use and would connect residents with local jobs. The site is close to transport infrastructure and would encourage walking, cycling and public transport use. It would ensure the continued social, economic and environmental regeneration of the City.

Policy EC3 (The Regional Centre) – The development would be close to sustainable transport facilities.

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

Policy CC6 (City Centre High Density Development) – This high density development would use the site efficiently.

Policy CC7 (Mixed Use Development) – The ground floor would be active.

Policy CC8 (Change and Renewal) – Jobs would be created during construction.

Policy CC9 (Design and Heritage) - The design would be high quality. Its impact on the settings of nearby listed buildings and the Stevenson Square Conservation Area is discussed in more detail below.

Policy CC10 (A Place for Everyone) – The proposals would complement the ongoing regeneration of the Northern Quarter and would be fully accessible.

Policy T1 (Sustainable Transport) – The proposal would encourage modal shift from car travel to more sustainable alternatives. It would improve pedestrian routes and the pedestrian environment would prioritise pedestrian and disabled people, cyclists and public transport.

Policy T2 (Accessible Areas of Opportunity and Need) – The proposal would be accessible by a variety of sustainable transport modes and would help to connect people to jobs and local facilities.

Policy EN1 (Design Principles and Strategic Character Areas) - The design would complement the areas heritage and the character of the conservation area. It would respond positively at street level and enhance permeability. The positive aspects of the design are discussed in more detail below.

Policy (EN3 Heritage) – The impact on the settings of the nearby listed buildings and the Stevenson Square Conservation Areas is discussed in more detail below.

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

Policy EN6 An Energy Statement sets out how the development would comply with the target framework for CO2 reductions from low or zero carbon.

Policy EN8 (Adaptation to Climate Change) – Policy EN 8 Adaptation to Climate Change - The energy statement sets out how the building has been designed to consider adaptability in relation to climate change.

Policy EN15 (Biodiversity and Geological Conservation) – The site is not high quality in ecology terms and biodiversity enhancements are proposed.

Policy EN16 (Air Quality) - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and minimise traffic emissions. It would not compromise air quality. Parking is not proposed. On site cycling storage would encourage residents and staff to cycle. Dust suppressions measures would be used during construction.

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

Policy EN18 (Contaminated Land and Ground Stability) - Possible risks from ground contamination could be controlled through a condition.

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

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

Saved UDP Policies

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

Saved Policy DC18.1 Conservation Areas – The proposal would maintain the character and appearance of the conservation area. The setting of the adjacent Smithfield Conservation Area and character of the Stevenson Square Conservation Area would not be fundamentally compromised. This is discussed in more detail later in the Report.

Saved Policy DC19.1 Listed Buildings – The proposal would have an impact on the settings of the nearby listed buildings. This is discussed in more detail below.

Saved Policy DC20 Archaeology – Given previous site disturbance there are unlikely to be archaeological remains which need to be recorded.

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

Saved Policy DC26.1 and DC26.5 Development and Noise – The application is supported by acoustic assessments and the proposal would not have a detrimental impact on the amenity of surrounding occupiers through noise. This is discussed in more detail below.

Other material policy considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007) This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people, pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability.

Sections of relevance are:

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

- Paragraph 2.7 states that encouragement for “the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.

- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

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

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

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

Manchester Green and Blue Infrastructure Strategy 2015 -The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city’s green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city’s communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

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

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

The inclusion of bat and bird boxes to be secured by a condition would enhance biodiversity at the site.

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

The application site lies within the area identified in the document as the Northern Quarter. This identifies the importance of the areas non-mainstream offer as being important for any global city and giving the Northern Quarter a unique identity within both the city and, to some extent, the UK. The areas growing reputation and attraction to a high number of visitors, is identified as providing an important contribution to the economy of the city centre.

Because of its nature, the regeneration within the Northern Quarter area is described as having been organic and incremental and, therefore, more subtle and ultimately less predictable than in other parts of the city centre. The aim of activity within the area is to bring about change in a way that retains the area's distinct identity. This can be done by building on the area's strengths to produce a creative and cultural destination, with a high-quality built environment attractive to businesses and residents and providing opportunities for private sector investment. It is considered that the proposals would be in keeping with these objectives. The proposed commercial unit and a further addition to the housing options within the current well established residential community around the site would help to build on the successes of the area's evening economy by promoting usage as a daytime destination.

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

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.

The Greater Manchester Strategy, Stronger Together-This is the sustainable community strategy for the Greater Manchester (GM) Region. The proposal will deliver the comprehensive refurbishment and redevelopment of an underutilised site within the City Centre in order to bring additional residential accommodation to the Northern Quarter. The proposal will therefore help to achieve a number of key growth priorities set out within the GM strategy including the reshaping of the economy to meet global demand, building Manchester's global brand and improving international competitiveness.

Climate Change

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

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

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

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the

MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

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

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO₂ from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken.

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

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

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

Relevant National Policy

The revised NPPF re-issued in February 2021 states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 'Delivering a sufficient supply of new homes' states that a sufficient amount and variety of land should come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay' (paragraph 60). Para 65 states that at least 10% of housing should be for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific

groups. This proposal would redevelop a brownfield site in a key regeneration area for 6 new homes. A mixture of 1, 2 bed homes would cater for families. The development is below the threshold requiring the inclusion of affordable housing and none is proposed.

Section 6 'Building a Strong, Competitive Economy' states that Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para 81). The proposals would add 6 apartments to the City's residential offer along with a commercial unit and create jobs during construction and operation.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (para 92). The proposal would be safe and secure. Cycle parking is provided.

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

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 110).

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

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

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

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

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 119).

Planning decisions should: encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 120).

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 123).

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 124).

The proposal would re-purpose a vacant brownfield site currently which has a negative impact on the street scene. The scale and density of the proposal is

considered to be acceptable and represents an efficient use of land. The commercial units and residential accommodation would meet known regeneration requirements in the area. The site is close to sustainable transport infrastructure. A travel plan would encourage the use of public transport, walking and cycle routes to the site. This would be a car free development reducing car journeys to and from the site.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process' (paragraph 126).

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130).

Trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to ensure the long term maintenance of newly placed trees and that existing trees are retained wherever possible (paragraph 131).

Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative design which promote high levels of sustainability, or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings (paragraph 134).

The design would be high quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon.

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

New development should be planned for in ways that: avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and can help to reduce greenhouse gas emissions, such as through its location orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (paragraph 154).

In determining planning applications, Local Planning Authorities should expect new development to: comply with any development plan policies on local requirements of decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 157).

The buildings fabric would be highly efficient and it would predominately use electricity. Efficient drainage systems would manage water at the site.

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

Paragraph 183 outlines that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. There is contamination at the site from its former uses. The ground conditions are not usual or complex and can be appropriate remediated.

Paragraph 185 outlines that decisions should ensure that the development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment. There would be some short term noise impacts associated with construction but these can be managed to avoid any unduly harmful impacts on amenity. There are no noise or lighting implications associated with the operation of the development which would be unusual in a City Centre context and cannot be mitigated through pre-commencement and occupation conditions.

Paragraph 186 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

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

Section 16 'Conserving and enhancing the historic environment' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

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

Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (para 194).

In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. (para197).

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

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

listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional (para 200).

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

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

The proposal would result in a degree of harm to heritage assets but this would be at the lower end of the less than substantial harm scale. This is considered in detail in the Report.

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

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

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

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

Examples of mitigation include:

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

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

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

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

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

Design states that where appropriate the following should be considered:

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

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

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

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;

- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

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

Public benefits may also include heritage benefits, such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

Other National Planning Legislation

Legislative requirements

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

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

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

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

Environmental Impact Assessment. The proposal does not fall within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and National Planning Practice Guidance (2017).

Conservation Area Declarations

Stevenson Square Conservation Area Declaration

The site is adjacent to the Stevenson Square conservation area which is a part of the city centre in which many Victorian buildings remain intact. The majority of buildings of architectural or historic interest in the conservation area are Victorian or early-20th century. Most are related to the cotton industry, often warehouses, showrooms or workshops. These buildings are taller than the earlier examples and create a varied matrix of building mass, divided by largely dark, narrow streets.

Development should improve activity which enhances the prosperity of the area, whilst paying attention to its special architectural and visual qualities.

It was designated in February 1987 and was subsequently extended in December 1987 to include houses on Lever Street and Bradley Street

ISSUES

The Schemes Contribution to Regeneration and Housing Delivery – The regeneration of the City Centre is an important planning consideration as it is the primary economic driver of the region and is crucial to its longer term economic success. The regeneration of the Northern Quarter has created a high quality mixed use area and this proposal would continue this process. It would support the economy and improve street level engagement and help to sustain the Northern Quarter as a vibrant place to work and live.

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

The scheme would be consistent with a number of the GM Strategy's key growth priorities by delivering appropriate housing to meet the demands of a growing economy and population within the city centre.

This cleared site has a negative impact on the street scene, the Stevenson Square Conservation Area and the Northern Quarter. Its poor appearance fragments the historic built form and creates a poor impression in contrast to the more vibrant streetscapes of Oldham Street and Lever Street. This proposal would provide a

positive use that benefits the surrounding area. The ground level activity and improved connectivity would integrate the proposal into the urban grain. Enhanced legibility would create a more vibrant and safer pedestrian environment which would improve the impression of the area for visitors.

The proposal would respond positively to its context and the areas heritage and repair a key street frontage and reinstate the historic building line. It would create an appropriate streetscape on Spear Street and help to establish a sense of place. The increase in ground level activity on Spear Street would provide an alternative attractive route that would link Stevenson Square with Great Ancoats Street.

The apartments would complement nearby residential schemes and contribute to a mixed use neighbourhood. They would support population growth, contribute to the economy and help to sustain the Northern Quarter as a vibrant place to work and live and would create employment during construction and operation.

The proposal would use the site efficiently and effectively in line with Paragraph 119, 120(d) and 124 of the NPPF. It would improve the environment in a sustainable location and deliver high quality homes for safe with healthy living. It would be close to major transport hubs and promote sustainable economic growth. The development would be consistent with the regeneration frameworks for this area including the City Centre Strategic Plan and would complement and build upon the City Council's current and planned regeneration initiatives.

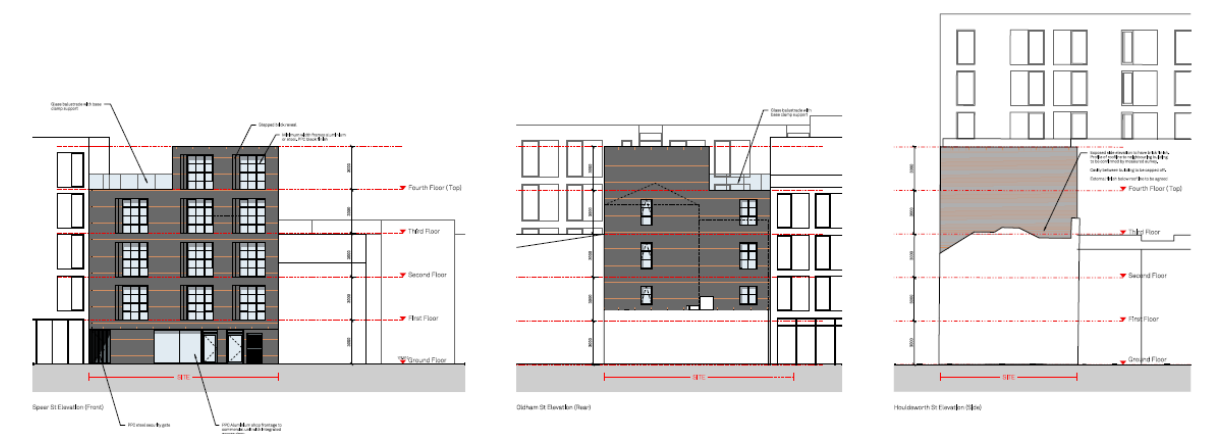
Affordable housing provision – The number of units proposed falls below the 15 or more units level that requires a contribution.

Residential development - density/type/accommodation standards - All homes would meet, and some would exceed, space standards. All would have a MVHR system to draw in filtered air. They would have large windows to increase natural sunlight and daylight. Their quality, mix and size has been designed to appeal to a range of potential occupiers. The 2 bedroom accommodation with external space could be attractive to families.

The constrained nature of the site and the small number of apartments means that a larger proportion of 1 bed apartments is on balance acceptable. Given the size of the development no communal space has been provided.

A condition should require a management strategy to be agreed to clarify the management and lettings policy to ensure that the development helps to provide a neighbourhood where people choose to live. In addition, it would ensure that the development is well managed and maintained, providing confidence for those wishing to remain in the area long term.

Design Issues, relationship to context and impact on the Character of the adjacent Conservation Area and setting of Listed Buildings -



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

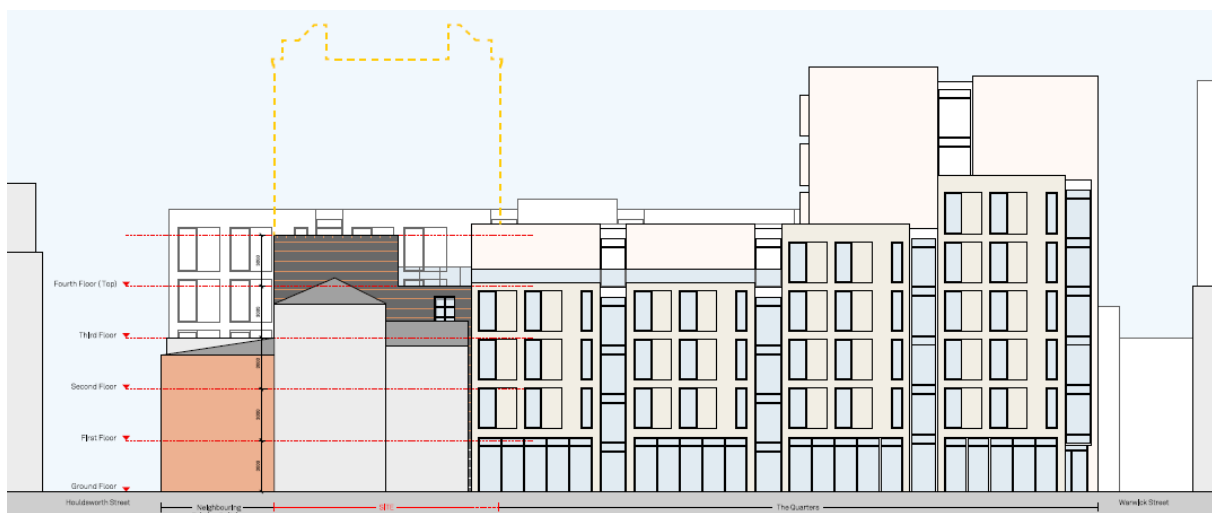
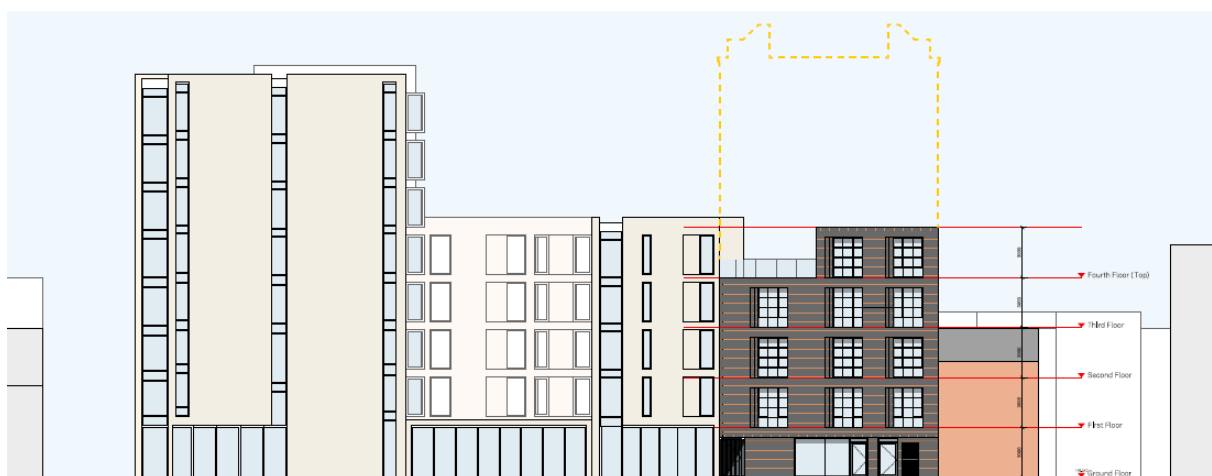
The construction would use of traditional weight bearing red bricks. The residential entrance would be level off Spear Street and would provide some street level animation. There would be living spaces on the Spear Street facade to maximise active frontage and street surveillance.

The development of this cleared site presents an opportunity to: enhance the character of the Stevenson Square Conservation Area; improve the quality and legibility of linkages in the Area; and preserve and enhance the setting of adjacent listed buildings and the street and townscape. It would reinstate the dense urban grain that originally existed on Spear Street and would reflect nearby traditional buildings. The repetitive form of the fenestration and other openings would reference the terraces that occupied the site and the robust architectural form of nearby buildings. Large windows would ensure that internal spaces are well lit and the provision of smaller panes would reference the 18th century windows of the areas mill buildings. On Spear Street the deep window reveals would include stepped brick detailing which would add richness to the façades. The detailing would ensure that the building responds well to its context.

The proposal would result in high quality building that would be appropriate to its context. A condition would require samples of materials to be agreed.

There are a number of designated and non-designated heritage assets nearby. The site lies within the Stevenson Square Conservation area. The Site falls is in the setting of the Grade II listed 4-10 Bradley Street and 69-77 Lever Street, and to a lesser extent, the Grade II listed Castle Hotel.

The rear areas of the buildings on Oldham Street are visible across the site. These are part of the historic character of the conservation area and the evolution of buildings styles and types, but they have been altered over time and they present a poor quality streetscape to Spear Street. The proposal would address this by introducing an appropriate form of development. It would enhance the setting of adjacent Heritage Assets and the height, scale, colour, form, massing and materials would make a positive contribution to the area.



Proposed contextual views with previous proposal in outline.

The impact on the nearby listed buildings has been assessed particularly those to the rear on Bradley Street and explains how the development would be integrated with its surroundings. The site itself does not contain any heritage assets and detracts from the character of the conservation areas and the setting of the listed buildings. The development is an opportunity to enhance the architectural and urban qualities of the area.

Spear Street is narrow the south west is characterised by large red brick former warehouse buildings, built hard up to the pavement edge with a strongly-defined building line. Buildings on the south eastern side are built hard against the back of a narrow pavement and form a consistent street frontage. The buildings are a mixture of periods and styles but have a similar scale.

The demolition of the 19th Century terraces in the 1950's has eroded the character of the historic street pattern and has affected the prevailing building alignment and the urban form now lacks cohesion. This adversely affects and weakens the character and appearance of the area. The footprint would be consistent with the historic back of pavement building alignment and would reinforce the urban grain. The layout would help to animate the street and would improve the quality of the streetscape.

It is inevitable that development on sites such as this would impact on the levels of amenity enjoyed at existing properties. However, the building would reinstate the historic building line in accordance with good urban design principles. The site has a negative impact on the area and views are artificially open and inappropriate in the conservation area. It would enhance the setting of adjacent designated and non designated Heritage Assets and introduce a building of an urban scale that would make a positive contribution to the wider streetscape.

There are no World Heritage Sites in the immediate vicinity. Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect it. Section 72 of the Act requires members to give special consideration and considerable weight to the desirability of preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it.

Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Of particular relevance to the consideration of this application are sections 197, 199 and 202.

A Visual Impact Assessment (VIA), has assessed the likely townscape and visual impacts of the proposals upon the site and surrounding area. This has been carried out in accordance with Historic England's Seeing the History in the View: Method for Assessing Heritage Significance within Views (May 2011). This has considered 2 views. Principally any impact would be a visual one on the setting of the Stevenson Square Conservation Area and on the setting of the Grade II listed Castle Hotel on Oldham Street, 4 – 10 Bradley Street and 69-77 Lever Street from specific views.



Baseline Spear Street towards Warwick Street 2017 (Prior to adjacent The Quarters Development commencing)

This view is just inside the Stevenson Square Conservation Area at the junction of Warwick Street and Spear Street, with the site visible in the left hand foreground. To the right hand side the Grade II listed 4-10 Bradley Street and 69-77 Lever Street is visible but are not prominent. Overall the interest of the view is limited and is dominated by a surface car park and relatively modern development.



Proposed View along Spear Street (Adjacent site in foreground is scaffolded so image of approved scheme used)

The proposal would improve the setting of the Grade II listed 4 – 10 Bradley Street and 69-77 Lever Street and the impact would be minor beneficial.



Baseline view along Spear Street to Houldsworth Street 2017 (Prior to adjacent The Quarters development commencing).

This view is from Spear Street at the junction of Houldsworth Street and Spear Street with the site visible in the foreground. A surface car park and poor quality modern development dominate the view and detract from the qualities of the Conservation Area, although there is a single late Victorian survival in the foreground. Further interest is provided by the cobbled setts seen where the tarmac surface has worn away in the immediate foreground.



Proposed View along Spear Street to Houldsworth Street

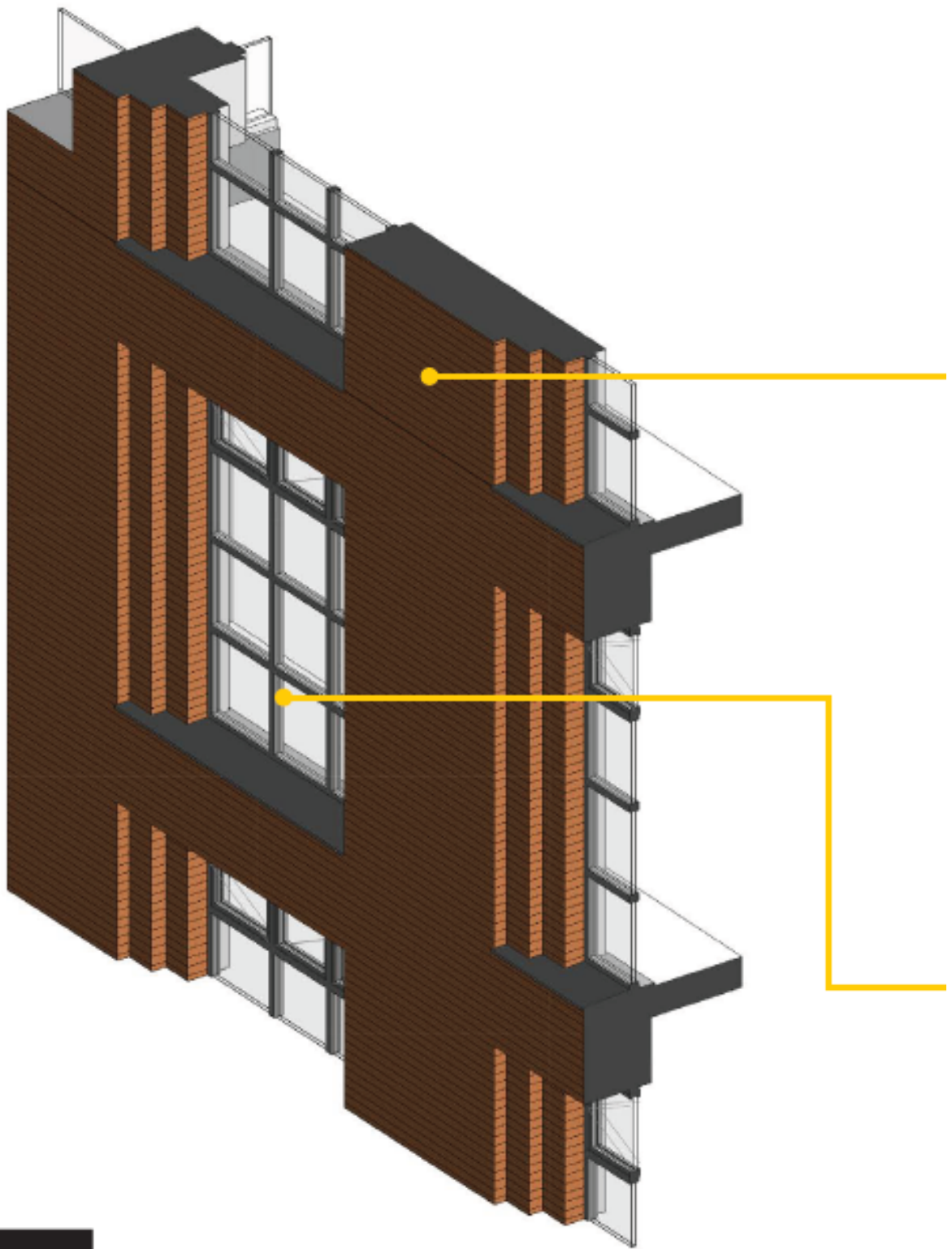
The proposed height is comparable with the general scale exposing the much larger neighbouring building behind. The proposal would improve the view and its impact would be minor beneficial

The visual impact assessment indicates that the proposal would have an overall modest beneficial impact in visual terms. However, there would be some impact on heritage assets, which would be at the lower end of the less than substantial harm scale. The harm would be offset by the public benefits which are set out elsewhere in this Report.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the conservation area and listed buildings as required by virtue of S66 and S72 of the Listed Buildings Act, the proposed development would meet the requirements set out in paragraphs 197, 199 and 202 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

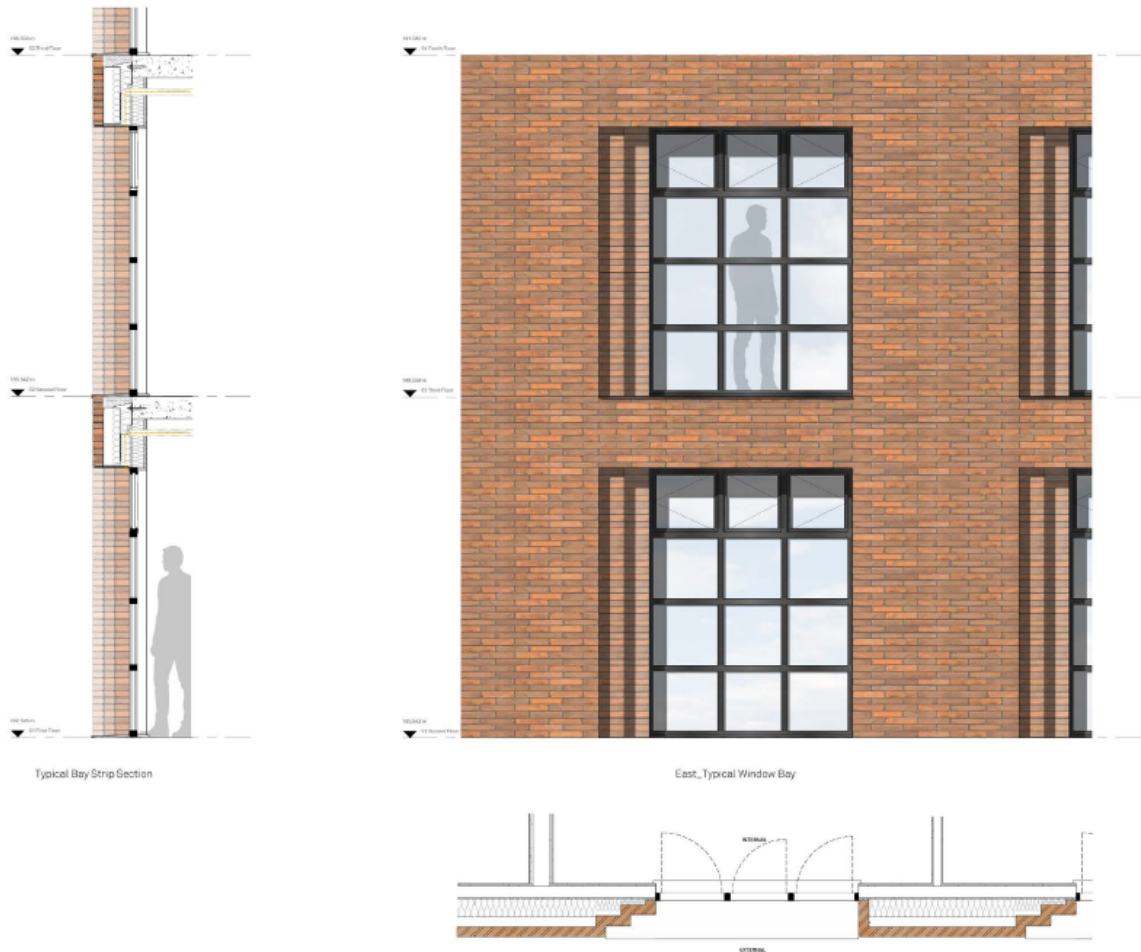
Architectural Quality -The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures.

The design would be a contemporary interpretation of the warehouse aesthetic seen in many traditional buildings nearby. The depth of the window reveals and their regular nature would provide a contemporary interpretation of the regular grid facades of adjacent buildings.



The use of brick is acceptable. A specialised brickwork detail would be used within the window reveals which would achieve articulation and visual interest and produce

a building of an appropriate quality.



Sustainability and Relationship to Public Transport Infrastructure - The site is highly accessibility via public transport including Metrolink, Metroshuttle, mainline rail and bus. A Transport Statement concludes that the impact of the development on the local transport network would be minimal. One cycle parking space per unit would be provided.

The provision of on-site parking is constrained by the size of the site and the need to create activity at street level to provide passive surveillance. There are parking spaces nearby which can be leased, should residents require a parking space. There are car club vehicles nearby, one at 104 High Street and one on Blossom Street. It is intended to promote the use of car clubs through a residential welcome pack. The closest on street parking bays are on Houldsworth Street 70 m from the site which can be used by blue badge holders.

The Transport Statement concludes that the proposal would not adversely affect the operation of the highway or transport network and meets the criteria set out in national and local policy for sustainable development and the overall impact on the local transport network is likely to be minimal

Energy Efficiency and Sustainability - New developments should attain high standards of sustainability and it is important to understand energy standards and waste efficiency. An Environmental Standards assessment of physical,

environmental, social and economic effects in relation to sustainability objectives sets out measures that could be incorporated across the lifecycle of the development to ensure high levels of performance and long-term viability and ensure compliance with planning policy.

A fabric first approach would be adopted in accordance with the energy hierarchy to create accommodation that is thermally efficient to reduce energy demand, reduce heat loss and maintain comfortable internal temperatures.

The high-performance thermal envelope would be supplemented with high efficiency, full electric space and hot water systems. Energy would be recovered from the stale, expelled air by means of high efficiency Mechanical Ventilation with Heat Recovery units. These would provide comfort and low heating bills.

The Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions. Part L has been superseded by Part L 2013 which has more stringent energy requirements. The 15% requirements translate as a 9% improvement over Part L 2013. The proposal would achieve the 31% improvement on the 2013 requirements under Part L 2021.

Waste arising during construction and occupation/operation would be minimised and a site waste management plan would be adopted during construction. A waste management plan would accord with the Councils recycling scheme.

Construction management procedures would minimise adverse impacts on the environment and control pollution generated during construction. These include a waste management strategy to reduce the amount of waste generated, and to increase re-use and recycling of materials. A commitment would be made to minimise waste and pollution.

Materials would be responsibly sourced and would have low environmental impact and local suppliers would be prioritised. This would minimise and conserve energy associated with transportation and waste generation. Where required, responsibly sourced new materials would be specified.

Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment -The Northern Quarter is a vibrant part of the City Centre. Spear Street has a poor quality environment but could provide a better used pedestrian link between Stevenson Square and Great Ancoats Street. Improvements to the pedestrian experience around Spear Street should improve this considerably. The pavement would be resurfaced in high quality materials and the vehicle access point removed and levelled

Credibility of the Design - Proposals of this nature are expensive to build and it is important to ensure that the design and architectural intent is maintained through the detailed design, procurement and construction process. A significant amount of time has been spent developing and costing the design to ensure that the submitted scheme can be delivered.

The development would be both viable and deliverable. Detailed initial investigations, including the: ground conditions and the archaeology of the site have been carried out which should help to insure against any un-foreseen costs.

The design team recognises that a scheme of architectural quality is required and therefore the design development has been extensive. Resources have been committed to ensure that the scheme submitted is ready for delivery, as the applicant is keen to start on site as soon as possible.

Effects on the Local Environment/ Amenity

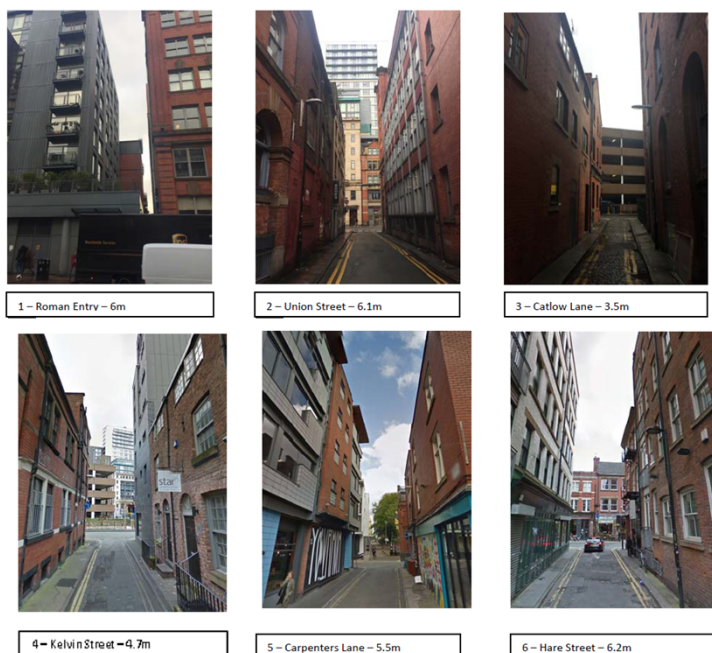
Privacy and Overlooking

A key consideration is whether the proposal would adversely impact upon the amenity for neighbouring residents. The properties have been adjacent to a site which has been vacant for nearly 10 years. The flats within 84-86 Oldham Street were converted (application ref no 046641/FO/CITY2/94) whilst there was a building in place to the rear.

The relationship to properties on Oldham Street and Houldsworth Street is not unusual in the conservation area and other streets across the City. As windows of apartments overlook the rear of the site, bedrooms have been placed at the rear of the proposal.

Small separation distances between buildings is characteristic in the area and is consistent with a dense urban environment. Had the buildings that previously occupied the site not been demolished, there would be views from the windows within those buildings into windows within adjacent blocks. The smaller separation distances are on the whole greater than is characteristic of that between other buildings within the immediate area and are considered to be in-keeping with the existing dense urban environment within the Northern Quarter as can be seen from the following examples.

All distances shown on the above diagram refer to habitable to habitable windows.



The distance between buildings across the site between the edge of the application site and the upper levels of 84-86 Oldham Street is approximately 9.5m which is much more generous than the examples given above.

Daylight, Sunlight and Overshadowing

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

An assessment of daylight, sunlight and overshadowing has been undertaken, using computer software to measure the amount of daylight and sunlight that is available to windows in a number of neighbouring buildings. The assessment made reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011). This assessment is not mandatory but is generally accepted as the industry standard and is used by local planning authorities as a guide to assist in terms of considering these impacts. The guidance does not have ‘set’ targets and is intended to be interpreted flexibly. It acknowledges that there is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of natural light to existing buildings is sometimes inevitable.

Daylight and sunlight to homes at 84 -86 Oldham Street, Blocks A& B at The Quarters development and 90-94 Houldsworth Street could be affected by the development.

Other residential properties have been scoped out due to the distance and orientation in relation to the site. The BRE Guidelines suggest that residential properties have the highest requirement for daylight and sunlight and states that the

guidelines are intended for use for rooms where natural light is required, including living rooms, kitchens and bedrooms.

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

The buildings on Oldham Street and Houldsworth Street that overlook a cleared site have benefitted from conditions that are relatively unusual in a City Centre context. Therefore, the baseline situation against which the sunlight, daylight and overshadowing impacts would be measured i.e. an open site, would not be representative of a typical baseline situation in an urban environment and any development of a similar scale to nearby buildings would inevitably have an impact.

The Guidelines provide methodologies for daylight assessment. The tests set out in the Guidelines relevant to this development are VSC (vertical sky component).

VSC considers how much Daylight can be received at the face of a window by measuring the percentage that is visible from its centre. The less sky that can be seen means less daylight is available. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27%. Reductions or changes of 0.8 times the former value would not be appreciable by an occupant.

Daylight may be adversely affected if, after the development, the area in a room which can receive direct skylight is reduced to less than 0.8 times its former value. A resident would notice any reduction below this and is again considered as the Alternative Target against which impact is measured.

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

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

Sunlight Impacts

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

sunlight hours during either period; and, has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours (APSH).

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

BRE Targets

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

Baseline

All impacts considered have been assessed against the baseline values of a cleared site.

Sensitivity of receptors

The BRE Guidelines note that "In housing, the main requirement for sunlight is in living rooms, where it is valued at any time of day, but especially in the afternoon." Other areas such as bedrooms are therefore to be treated as less important.

Daylight Impacts

With the development in place and the results weighted to allow for the 20% reduction which would not be noticeable (Alternative Target)

84-86 Oldham Street

10 windows serve individual rooms. 7/10 (70%) of windows would be compliant for the VSC alternative target. 2 of the rooms that do not meet this target are bedrooms rather than main living areas.

The Quarters Block A

72/72 (100%) of windows would be compliant for the VSC alternative target.

The Quarters Block B

22/40 of windows (serving 32 rooms) (55%) would be compliant for the VSC alternative target. 9 of the rooms that would not meet the target are bedrooms rather than main living areas.

90-94 Oldham Street

23/24 (96%) of windows would be compliant for the VSC alternative target.

Sunlight Impacts

With the development in place and the results weighted to allow for the 20% reduction which would not be noticeable (Alternative Target):

Of the above buildings only 84-86 and 90-94 Oldham Street met the assessment criteria.

84-86 Oldham Street

4/10 (40%) of rooms would continue to meet the Alternative Target for annual for APSH and 3/10 (30%) of rooms would achieve the Alternative Target for winter annual probable sunlight.

90-94 Oldham Street

25/25 (100%) of rooms would continue to meet the Alternative Target for annual APSH and 19/20 of rooms would achieve the Alternative Target for winter annual probable sunlight.

Overshadowing

There are no areas of public realm that require consideration of impact permanent shadowing and sunlight hour's appraisal.

The impacts on the levels of daylight and sunlight at 84-86 Oldham Street, 90-94 Oldham Street and Blocks A & B of The Quarters development are important. However, some impact is inevitable if the site is to be redeveloped to a scale appropriate to its location within the City Centre. The following matters are however important in considering this matter:

- Buildings that overlook the site have benefitted from conditions that are relatively unusual in a City Centre context;
- It is generally acknowledged that when buying/renting properties in the heart of a city centre, that there will be less natural daylight and sunlight in homes than could be expected in the suburbs;
- When purchasing or renting a property in any urban location, sited close to a derelict plot of land, the likelihood is that, at some point in time, redevelopment will occur. This is increased in a city centre like Manchester where there is a dense grain to development.
- The application site is within the City Centre and is designated for high density development;

Air Quality - An air quality assessment (AQA) has considered whether the proposal would change air quality during the construction and operational phases. The site is in an Air Quality Management Area (AQMA) where air quality is known to be poor because of emissions from surrounding roads. As such, residents could experience poor air quality and vehicles travelling to and from the site could increase pollution levels in this sensitive area.

There are homes, businesses, educational facilities and recreational areas which could be affected by construction traffic and that from the development. A qualitative risk assessment based on the Institute of Air Quality Management's (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction' document, published in 2014 has assessed the potential effects during construction of dust and particulate emissions from site activities and materials movement.

The assessment of the air quality impacts of the completed scheme has focused on the predicted impact of changes in ambient nitrogen dioxide (NO₂) and particulate matter with an aerodynamic diameter of less than 10 µm (PM₁₀) and less than 2.5 µm (PM_{2.5}) at key local locations. The magnitude and significance of the changes have been referenced to non-statutory guidance issued by the IAQM and Environmental Protection UK (EPUK). Both the construction and operational impacts of the development on air quality have been considered.

The impact on human health would be low and would be further minimised by dust suppression measures and other good practices which must be implemented throughout the construction period which would be secured through the construction management plan condition. In terms of embedded mitigation, the premises would have air tight windows and mechanical ventilation.

The impacts on air quality once complete would not be significant. Pollutant concentrations at the façades would be within the relevant health-based air quality objectives and apartment residents would be exposed to acceptable air quality and the site is deemed suitable for the proposed use.

Although the development would generate traffic, it would not create new impacts on air quality conditions (NO₂, PM₁₀ and PM_{2.5}).

6 cycle spaces are proposed, and an Interim Travel Plan includes measures that promote the use of sustainable transport. These measures would contribute to reducing reliance on the private car and limit impacts on air quality.

The development would operate on an all electrical system with no gas fired boilers or generators which would normally contribute to air quality conditions. No mitigation is required to minimise the impact when the development is occupied. A mechanical ventilation system would ensure that air intake to the residential units would be fresh and free from pollutants.

Environmental Health concur with the conclusions and recommendations within the

air quality Report the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there would be no detrimental impact on existing air quality conditions as a result of the development

Noise and vibration- Whilst the principle of the proposal is considered to be acceptable the impact that adjacent noise sources might have on occupiers does need to be considered. The application is supported by a Noise Report which concludes that with appropriate acoustic design and mitigation, the internal noise levels can be set at an acceptable level and the agreement of such measures should be a condition of any consent granted.

It is acknowledged that disruption could arise as a result of the construction phase of work. The applicant and their contractors would work with the local authority and local communities to seek to minimise disruption. The contractors would be required to engage directly with local residents. The provision of a Construction Management Plan should be a condition of any consent granted. This would provide details of mitigation methods to reduce the impact on surrounding residents

TV and Radio reception -The TV and Radio Reception survey has highlighted a potential impact zone for terrestrial television reception. No interference has been identified for the reception of terrestrial digital television services (Freeview), as there are no viewers located in any areas where signal interference could occur.

The proposed development is likely to cause disruption to the reception of digital satellite television services (such as Freesat and Sky) in areas to the immediate northwest of the Site (up to 36m from the base of the proposed building). Additionally, in similar areas, the use of tower cranes could also obscure satellite dish views of the southern skies, resulting in interference.

The proposal is unlikely to adversely impact the reception of VHF(FM) radio broadcasts as coverage in the survey area and the technology used to encode and decode radio signals is good.

If interference does occur, the repositioning of the satellite dishes to locations without an obscured line-of-sight view to the serving satellites would restore all services. If this were not possible, the use of DTT receiving equipment would offer any affected viewer an alternative source of digital television broadcasts, however this outcome is considered unlikely due to the relative ease of repositioning satellite dishes to new un-obscured locations.

Appropriate mitigation for signal loss could be secured through the attachment of a suitably worded condition to any consent granted.

Impact on adjacent businesses - Infill developments on previously developed sites in the City Centre are not unusual. There are a number of businesses and residential properties on Oldham Street and Houldsworth Street that back onto the site which would be affected to some degree. The issues relating to access across the site are private legal issues and not normally material considerations, however the following should be noted:

The site was purchased from the owners of 84 to 86 Oldham Street, who operate The Koffee Pot, who have a right of access across this site. Whilst this is essentially a private matter, the applicant has provided an access on the ground floor that would be retained as part of the development.

The developer of the adjacent site believes that they benefit from a right over the same area. The applicants' dispute this but would be happy to allow them the same Right of Access as 84-86 Oldham Street.

The site has previously been developed therefore the roof of 84-86 Oldham Street could not have been accessed from the application site and alternative arrangements must have been in place.

Koffee Pot have relocated the extraction equipment which previously protruded over this site (123358/FO/2019) so the concern about business continuity owing to the loss of this equipment should not occur.

Deliverability -Infill developments on previously developed sites within the City Centre are not unusual. Whilst issues relating to building techniques are not usually material considerations, the following should be noted.

The applicants have stated that they have discussed the site with potential contractors and have advised the Council that the development is deliverable employing the following construction methods:

- 1) Offsite productions
- 2) Pre-fabricated elements
- 3) Just in Time deliveries
- 4) A temporary road closure at Spear Street

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

Archaeological issues - Greater Manchester Archaeological Unit are satisfied that this scheme will not impact on any potential archaeological interest and on this basis, the Greater Manchester Archaeological Advisory Service recommend that no further archaeological works are required for this site.

Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS)- The proposal would have no direct adverse effect on statutory or non-statutory designated sites.

Planters will be located along the perimeter to provide privacy and greenery to the parapet. A Preliminary Ecological Appraisal (PEA) has been prepared and accompanies this application. The PEA assesses the potential impact of the development on local ecology and nature conservation. The PEA identifies that the site contains no suitable habitats for protected species and has limited connectivity to suitable wider habitats. A bat roost assessment found adjacent buildings have

either low or negligible suitability for roosting. The lack of vegetation on the site means that it has negligible suitability for use by foraging and community bats. The Report concludes that no further habitat surveys are required and thus there are no ecological constraints to development.

The roof level planting would enhance the aesthetic value of the site and strengthen its ecological value.

Given the scale of development and the width of the pavement there is limited scope to include features which may improve biodiversity and form corridors which enable natural migration through the site including the planting of street trees. External bird nesting boxes could increase opportunities for habitat expansion leading to improved ecological value within the local area. Requirements of biodiversity enhancements would be a condition.

Waste and Recycling – The refuse store has been sized in line with 'GD 04 Waste Storage and Collection Guidance for New Developments. All recycling and waste material would be stored in a single secure waste bin storage area on the ground floor, accessed on Spear Street. Waste collections would be from Spear Street with bins brought out by residents on collection day. Bins for each type of waste would be clearly marked.

Flood Risk and Sustainable Urban Drainage Strategy - The site is in 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 Council's Strategic Flood Risk Assessment which requires a 50% reduction in surface water run-off as part of brownfield development.

The applicant has prepared a SUDS Statement which details how surface water would be managed to ensure the risk of both on- and off-site flooding associated with the development is minimised and/or managed.

The surface water drainage would be managed to restrict the surface water run-off to a greenfield rate if practical, and, as a minimum, to reduce the post development run-off rates to 50% of the pre development rates. As there are no watercourses within the vicinity and the building structure occupies the total site, infiltration devices would not be feasible. The only option would be to discharge the surface water to the existing sewer systems which are within the surrounding roads.

The final drainage design would be informed by site investigations and consultation with the statutory undertaker to confirm the appropriateness of discharging into the public sewer. The Environment Agency has no objections but have recommended conditions in relation to ensuring the risks to adjacent ground and controlled waters.

Conditions could be imposed which require the submission of details of the surface water drainage and requiring agreement of a maintenance and management plan of the system to be submitted for approval. The initial SUDS report does demonstrate that surface water run-off can be drained effectively.

Consideration of impacts from adjacent businesses had been designed into the scheme of acoustic insulation and the requirement to verify this prior to occupation would be a condition of any consent granted.

There would be a condition attached to any consent granted which would restrict the use of the accommodation to C3 only so the roof top garden should not become a source of antisocial behaviour particularly. The Residential Design Guide encourages the inclusion of external amenity areas and the provision of this type of space is not unusual.

The impact of the foundations on adjacent basements would be dealt with as part of private legal agreements and securing consents from other parties such as Building Control outside of the planning process.

The details of the pre-application consultation process are set out in the submission. There is no legal requirement for pre application consultation for this development.

The application has been determined on the basis of its scale and massing within the adjacent context and is considered to be appropriate in that regard. Considerations of the viability of a lower scheme have not informed that judgement.

In relation to comments about lifts being obstructed by cupboards the adjacent structures are risers which would only need to be accessed infrequently for maintenance access.

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. It would establish a sense of place, would be visually attractive, optimising the use of the site and would meet with the requirements of paragraph 130 of the NPPF

The 6 apartments would contribute positively to the city's housing supply. The form of development would improve legibility and wayfinding along a pedestrian route in the Northern Quarter. It would reactivate a vacant site. The building would be of a high standard of sustainability and would be energy efficient and operate on an all-electric system offering the most suitable long term solution to carbon reductions.

The development would regenerate a previously developed site. The massing would relate to its context including a recently approved adjacent development and be in keeping with the character of the conservation area. It would revitalise this part of Spear Street which would have a much safer feeling and welcoming environment. The proposal would enhance the city's historic landscape. The scheme would add much needed activity and vitality and reintegrate the site into its urban context, reinforcing the character of the streetscape.

Careful consideration has been given to the impact of the development on the area, including on existing homes, and it has been demonstrated that there would be no unduly harmful impacts on noise, traffic generation, air quality, water management,

wind, contamination or loss of daylight and sunlight. Any harm can be appropriately mitigated and would not amount to a reason to refuse this planning application.

The buildings and its facilities would be fully accessible. The waste can be managed and recycled in line with the waste hierarchy. Construction impacts would be mitigated to minimise the effect on the local residents and businesses. There would be minor beneficial impacts on the setting of adjacent listed buildings and the character of the conservation area. Any harm to heritage would be at the lower end of less than substantial and is outweighed by the public benefits. The proposal represents sustainable development and would deliver social, economic and environmental benefits. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the adjacent listed buildings and preserving or enhancing the character of the affected conservation areas as required by virtue of the Listed Buildings Act, the overall impact of the proposed development including the impact on heritage assets is acceptable.

Other Legislative Requirements

Equality Act 2010 - Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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

Recommendation APPROVE

Article 35 Declaration

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

Conditions to be attached to the decision

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

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

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

(a) Dwg P16081-FCH-BA-00-DR-A-2000 P02 LOCATION PLAN;

(b) Dwgs P16081-FCH-BA-00-DR-A-3000 P02 GROUND FLOOR PLAN, P16081-FCH-BA-01-DR-A-3001 P03 1ST & 2ND FLOOR PLAN, P16081-FCH-BA-03-DR-A-3003 P03 3RD FLOOR PLAN, P16081-FCH-BA-04-DR-A-3004 P03 4TH FLOOR PLAN, P16081-FCH-BA-RF-DR-A-3005 P01 ROOF PLAN, P16081-FCH-BA-XX-DR-A-1401 P02 SPEAR STREET ELEVATION, P16081-FCH-BA-XX-DR-A-1402 P03 OLDHAM STREET ELEVATION, P16081-FCH-BA-XX-DR-A-1403 P02 HOULDSWORTH STREET ELEVATION, P16081-FCH-BA-XX-DR-A-1502 P2 TYPICAL BAY WINDOW DETAILS and P16081-FCH-BA-XX-DR-A-1400 P04 GA ELEVATIONS;

(c) Accommodation schedule in DESIGN & ACCESS STATEMENT ADDENDUM by FCH ref P16081-FCH-XX-XX-RG-A-0001 P02 November 2022 and Space Standards e-mail from Northern Group dated 10 05 23;

(d) Waste Management Overview e-mail from Northern Group dated 05-01-23, Waste Management Proforma stamped as received on 05-01-23 and Waste Management Route plan stamped as received on 05-01-23;

(e) Recommendations in sections, 3 4,5 and 6 of the Crime Impact Assessment Version A 29/11/22;

(f) Recommendations and measures as detailed in Miller Goodall's Air Quality Assessment 07-10-22;

(g) Recommendations within Section 7 of the Paragraph 4.2.1 of the Urban Green Preliminary Ecological Appraisal October 2022;

(h) Television and Radio Reception Impact Assessment, Spear Street, Manchester prepared by GTech Surveys Ltd 05-10-22;

(i) Land at Spear Street, Northern Quarter Phase 1 Preliminary Site Assessment by Curtins Ref: B063129.003/MH/8160 Revision: 1 Issue Date: 04 May 2017; and

(j) Measures set out within the Energy Statement dated 19-10-22, Land at Spear Street by the Building Compliance Team

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, DM1 and PA1 saved Unitary Development Plan polices DC18.1 DC19.1, DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

*hand sized samples and specifications of all materials to be used on all external elevations;

*drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and

*a programme for the production of the full sized sample panels and a strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

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

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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

4) a) Notwithstanding the Land at Spear Street, Northern Quarter Phase 1 Preliminary Site Assessment by Curtins Ref: B063129.003/MH/8160 Revision: 1 Issue Date: 04 May 2017 prior to the commencement of the development the following information should be submitted for approval in writing by the City Council, as Local Planning Authority:

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

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

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

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

5) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority. This shall include:

- *Display of an emergency contact number;
- *Details of measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- *Dust suppression measures;
- *Compound locations where relevant;
- *Location, removal and recycling of waste;
- *Routing strategy and swept path analysis;
- *Parking of construction vehicles and staff;
- *Sheeting over of construction vehicles;
- *Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;
- * Details of the loading and unloading of plant and materials;
- * Details of the storage of plant and materials used in constructing the development;

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) The development shall be carried out in accordance with the Crime Impact Statement Version A dated 29/11/22; The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

7) Notwithstanding the details as set out within condition 2 no development shall take place until surface water drainage works have been submitted to and approved in writing by the Local Planning Authority in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards.

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

*Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;

*Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

*Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;

*Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

*Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.

*Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.

*Hydraulic calculation of the proposed drainage system;

*Construction details of flow control and SuDS elements.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

8) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

(a) Verification report providing photographic evidence of construction as per design drawings;

(b) As built construction drawings if different from design construction drawings;

(c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

9) The development hereby approved shall be carried out in accordance with the Energy Statement dated 19-10-22, Land at Spear Street by the Building Compliance Team. A post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

10) Prior to occupation of:

(a) The residential accommodation; and

(b) The ground floor commercial unit

a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

11) Notwithstanding the recommendations within the Amber Acoustics ACOUSTIC ASSESSMENT On behalf of M4nchester One Ltd

For the site at: Land at Spear Street, Manchester, M1 1AW, REPORT DATE: 14th October 2022, REPORT REF: AA/22/10/NG/SPS/AA and e-mail from Amber Acoustics dated 03-01-23 prior to commencement of development details of the following shall be submitted:

(a) a scheme for acoustically insulating and mechanically ventilating the residential accommodation against local road traffic network, any local commercial/industrial premises, plant and equipment on adjacent premises and the insulation requirements and specification for plant room service risers /lift shafts; and

(b) following an assessment of the potential for overheating (AVO Assessment) any details of any additional noise mitigation measures to deal with equipment to mitigate overheating

The approved noise insulation scheme and mitigation measures shall be completed before any of the dwelling units are occupied.

shall be submitted to and approved in writing by the City Council as local planning authority.

The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LAMax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

(c) Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation (within at least 10% of the apartments) shall be submitted and agreed in writing by the City Council as local

planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

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

12) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

To ensure a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17.

13) Notwithstanding the Television and Radio Reception Impact Assessment, Spear Street, Manchester prepared by GTech Surveys Ltd 05-10-22 within one month of the practical completion of the development or before the residential element of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy

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

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

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal

iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

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

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

15) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

16) Prior to the first use of the development hereby approved, a detailed Residential Management Strategy including:

*Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal) and noise management of communal areas shall be submitted to and agreed in writing by the City Council as Local Planning Authority.

shall be submitted to an approved in writing by the City Council as Local Planning Authority.

The approved management plan shall be implemented from the first occupation of the residential element and be retained in place for as long as the development remains in use.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

17) No part of the development shall be occupied unless and until details of a parking management strategy for residents including has been submitted to and approved in writing by the City Council as Local Planning Authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

Reason - The development does not provide sufficient car parking facilities and in order to provide alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) for the needs of future residents whom may need to use a motorcar and Policies DM1 and T1.

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

07:30 to 20:00 Monday to Saturday

10:00 to 18:00 Sundays and Bank Holidays

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

20) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

21) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the residential premises first commences.

Reason - Pursuant to National Planning Policy Framework policies (PPS 1 (22) and PPS 25 (F8))

22) No doors (other than those designated as fire exits and ground floor bin store shown on plan P16081-FCH-BA-00-DR-A-3000 P02 shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

23) The window(s) at ground level, fronting onto Spear Street shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

24) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas and via the main entrances.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

25) Prior to implementation of any proposed lighting scheme (including on the roof terrace) details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

26) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within the ground floor commercial unit shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to occupancy of each unit and shall remain in situ whilst the use or development is in operation.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (withdrawn but still available via an internet search). It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B) or other relevant guidance or documents which supersede this guidance. Details should also be provided in relation to replacement

air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E).

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

27) The ground floor commercial unit shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. For the avoidance of doubt this needs to be completely separate from the residential store. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

28) Facilities for the storage and disposal of waste shall be provided in accordance with the Waste Management Overview e-mail from Northern Group dated 05-01-23, Waste Management Proforma stamped as received on 05-01-23 and Waste Management Route plan stamped as received on 05-01-23;

The waste management strategy shall be implemented in full and shall remain in situ whilst the development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

29) Before any use of the ground floor commercial use hereby approved commences details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The unit shall not be operated outside the hours approved in discharge of this condition.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E).

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

30) Notwithstanding the recommendations within the Amber Acoustics ACOUSTIC ASSESSMENT On behalf of M4nchester One Ltd
For the site at: Land at Spear Street, Manchester, M1 1AW, REPORT DATE: 14th October 2022, REPORT REF: AA/22/10/NG/SPS/AA and e-mail from Amber Acoustics dated 03-01-23 before the operation of the ground floor commercial unit commences a scheme for acoustically insulating the unit to ensure that there is no

unacceptable level of noise transfer from this unit to the office accommodation above or any unacceptable noise break out shall be submitted to and approved in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively. The scheme proposed may need to include different measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels

The approved noise insulation scheme shall be completed before any of the approved uses commence. The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E).

Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

31) Prior to the commencement of development a programme for submission of final details of the public realm works and highway works shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

(a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries and the making good of the redundant crossing;;

(b) Details of measures to create potential opportunities to enhance and create new biodiversity at roof level within the development to include bat boxes and brick, bird boxes;

The details shall then be submitted and / or carried out in accordance with the approved programme and approved details.

Reason - To ensure a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to

Section 170 of the NPPF 2019, to ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

32) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

33) Prior to the first occupation of the residential accommodation the 6 cycle parking spaces shall be fully implemented as shown in dwg P16081-FCH-BA-00-DR-A-3000 P02

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

34) In the event that any of the commercial unit is occupied as a restaurant (Class E) prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority.

A Management Strategy for patrons and control of any external areas. For the avoidance of doubt this shall include:

*An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

*Details of a Dispersal Procedure

* Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

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: 117280/FO/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services
City Centre Regeneration
Environmental Health
MCC Flood Risk Management
Strategic Development Team
Oliver West (Sustainable Travel)
Work & Skills Team
Greater Manchester Ecology Unit
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Police
Historic England (North West)
Transport For Greater Manchester
United Utilities Water PLC
Highway Services
Environmental Health
MCC Flood Risk Management
Oliver West (Sustainable Travel)
Strategic Development Team
City Centre Regeneration
Greater Manchester Police
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
United Utilities Water PLC
Work & Skills Team
Greater Manchester Ecology Unit**

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

Representations were received from the following third parties:

Relevant Contact Officer : Angela Leckie
Telephone number : 0161 234 4651
Email : angela.leckie@manchester.gov.uk

