

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
120893/FO/2018	9th Aug 2018	14th Feb 2019	Ancoats & Beswick Ward

**Proposal** Erection of a 9 storey building to form ground, first and second floor office accommodation (Use Class B1) (3124 sqm) together with 75 residential apartments (Use Class C3a) with associated car parking, amenity provision and other associated works following demolition of existing buildings

**Location** Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street , Manchester, M4 6AQ

**Applicant** M4nchester Two Ltd, C/o Agent,

**Agent** Miss Claire Pegg, Cushman & Wakefield, 1 Marsden Street, Manchester, M2 1HW

## **Description**

The site measures 0.123 hectares and is bounded by Bengal Street, Primrose Street, Radium Street and Silk Street. The application site currently includes a surface car park and a part single, part two storey industrial building which is currently in use as an MOT business.



*View of the application site and existing industrial building from Bengal Street (in between the Mustard Tree and the Shamrock public house*



*Current condition of the site from Radium Street*

The application site is located in the Ancoats area of Manchester. The area within which the application site is located also falls within a designated conservation area known as the 'Ancoats Conservation Area'. Within the approved Core Strategy, together with the City Centre Plan and Ancoats and New Islington Strategic Regeneration Framework (SRF), Ancoats is an identified regeneration area and one which is expected to accommodate residential development as part of supporting the vitality of the Ancoats neighbourhood and supporting economic and population growth in this part of the City Centre. The application site is located in the City Centre and Regional Centre for planning and regeneration purposes.

The Ancoats area has seen a significant level of development activity over the last few years. New residential developments have been completed and occupied around George Leigh Street, Cutting Room Square and Jersey Street. The surrounding area is therefore characterised by a mixture of residential and commercial developments.

To the west of the application site is Victoria Square, a grade II listed building built as municipal housing which is still in use for that purpose today. To the north of the site is the Mustard Tree centre which offers support for the City's homeless community. To the south of the site is the Shamrock Public House, a two storey building with an associated beer garden. This site is also occupied by an electricity substation. On the opposite side of Silk Street to the east is a vacant site.

The application site is a short distance from Cutting Room Square which is an area of public realm within the heart of the conservation area. Within this area are a range of shops, café/restaurants and other amenities principally clustered around George Leigh Street, Cotton Street and Hood Street.

The area has excellent links to public transport and pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. Manchester Victoria train station is located within a short walk of the application site where rail, tram and bus services can be accessed.

## **The proposal**

The proposed development involves the demolition of the existing buildings at the application site and the construction of a mixed use development consisting of 75 residential apartments and 2,259 sqm of office space (use class B1). The building will be constructed as one block and will cover the entire application site and sited to the back of the footways which bound the site.

With regards to the residential accommodation, there will be 23 one bedroom apartments, 47 two bedroom apartments and 5 three bedroom apartments. The new homes will be available to rent as part of a 'private rented sector' (PRS) scheme meaning that the entire development will be managed by one company.

The ground, first and second floors will be occupied as office space and add to the applicants portfolio of managed work spaces within this part of the City.

Pedestrian access to the building will be from Silk Street whilst the vehicular access will be from Radium Street. A basement area will be provided within the development which will provide 17 car parking spaces (5 of which will be available for electric charging) and 100 cycle spaces. The waste management arrangements will also be provided in the basement area and collected from Radium Street.

The scale of the building has been designed to be sympathetic to the conservation area and adjacent listed buildings. The building is 9 storey's in height with the 9<sup>th</sup> floor being set back from the building edge. This allows for a communal roof top garden to be created and amenity room with associated landscaping.

## **Consultations**

**Local residents/public opinion** - The proposal has been advertised as a major development and of being of public interest together affecting the setting of a conservation area and a listed building. Site notices were displayed at various locations around the application site. In addition, notification with local residents and businesses have been carried out. The comments received can be summarised as follows:

A total of 4 objections have been received. These state:

- The height of the building is not acceptable and will dwarf the surrounding buildings, creating an imposing eyesore;
- Development in the area should follow the general height of the old Mills which make this area a beautiful place to be. Five floors would be a more appropriate solution for the site;
- The scale of the development is not in keeping with other residential developments in the area and would cause significant overshadowing of the neighbouring properties and businesses;
- There should be mitigation as a result of this development in terms of improving public spaces and trees;
- There would be disturbance during the construction process on local residents;

- The area already has too many tall buildings and is in danger of losing all elements of conservation and heritage;
- View from other developments will be lost as a consequence of this development;
- The proposal will dwarf nearby developments on George Leigh Street which have been sympathetically constructed to conserve tradition.

**Highway Services** – The traffic movements from the development have been considered and can be absorbed on the network with no adverse implications. The site is well accessed by sustainable modes with excellent connectivity by rail, Metrolink and bus services located within a close proximity to the site.

Vehicular access is proposed from Radium Street where it is assumed that the existing vehicular crossover will be utilised. This work, together with re-instatement of redundant crossovers will need to be agreed.

The proposed vehicular ramp should not exceed 1 in 20 and include a segregated cycle lane and refuse route to minimise potential conflict.

Pedestrian access is proposed from Silk Street. This solution was not originally supported by highways due to the limited footway width and street lighting. Consideration has been given to this matter during the course of the planning application. The proposal retains the pedestrian access from Silk Street but proposes to make the street one way. This is acceptable to Highway Services.

The number of doorways opening onto Primrose Street has been altered so then opening inwards (except for fire or servicing doors).

The junction radii at the Radium Street/Primrose Street junction should be tightened through a junction build out and this should form part of the off site highways works.

There will be 17 on site car parking spaces as part of the development (including 2 disabled bays). This equates to 22% for the residential part of this development.

The proposal will include 5 electric car charging points which is welcomed.

The indicative layout of the car park is acceptable along with confirmation that priority is given to vehicles entering the car park.

In terms of cycle provision, in excess of 100% cycle parking has been offered and is supported by Highway Services. This will be provided within a stacked facility at basement level and therefore accessible for both residential and commercial occupiers.

There will be 75 spaces designated for residential use, with 25 for office users which is appropriate for the development.

Refuse storage is located within the basement level and segregated for both residential and commercial uses. All servicing movements are proposed from the adopted highway via Radium Street, in line with the single yellow line restriction.

A construction management plan should be prepared as part of the development.

The travel plan framework has been considered and this should now be developed into a full travel plan upon occupation of any development.

**Environmental Health** – With regards to ground conditions, further site investigation work shall be undertaken together with developing a remediation strategy. Following completion of the works a verification report should be submitted for consideration. Deliveries should be restricted to 07:30 to 20:00 Monday to Saturday with Sundays 10:00 to 18:00. Details of any fume extraction system(s) should be submitted for approval. Full details of fugitive dust emissions during earthworks and construction would be required.

Further information would be required in relation to the acoustic insulation of the commercial and residential accommodation. Any condition should include the requirement for post completion verification. Details of plant shall be agreed as part of any planning approval. The waste management arrangements are acceptable in respect of this matter.

**Historic England** – The character of the Ancoats conservation area is rooted in its history as one of England's first industrial suburbs. The area holds an important place in the history of both global industrialisation and urbanisation. The area developed rapidly from a small hamlet to the industrial suburb we see today, following the expansion of the cotton industry, which led to significant population growth and introduction of canals in the mid-to-late 18th century. Canals, mills and workshops still play a vital role in the character of the area, as does the more human-scale, with residential character seen in remaining housing, places of worship, shelters and public houses.

This closer grained character makes a vital contribution to the significance of the conservation area, in contrast to the larger scale mills. The variety of industrial and domestic scale buildings continues to be important to the area's townscape, as does the clear and functional grid street pattern. The simple and restrained materials and detailing (largely red brick), solid junctions at ground level and robust corners also provide a strong sense of place.

The application site and immediate area was, historically, predominantly more residential, with courtyard back-to-back terraced house a typical feature and the former St Martin's Church, all of which have been demolished. Later residential re-development included Victoria Square to the immediate south of the site, which is grade II listed, and there are a number of surviving unlisted warehouses and a school in the vicinity.

This application is for the erection of a 9 storey mixed use office and residential block with parking. We were consulted on a previous 11 storey scheme at pre-application stage and advised of the importance that new development responds positively to the character and appearance of the conservation area. This includes the varied grain, density and diversity of architectural form. We have been particularly keen to avoid development of a uniform and monolithic scale and character being repeated

throughout the conservation area as this would cause harm to its significance, character and appearance.

In this context we have encouraged a more varied building form, height, massing, architecture and materials so that it more closely reflects the local character. It is also important that the development reflects the local spatial hierarchy and takes account of the fact that the site is a secondary location, away from principal streets, thoroughfares and open spaces. We have advised that no part of the scheme should exceed 7-8 storeys and that parts of the site should be lower than this to break the scale down and assimilate with the local historic and spatial character.

While the height has been reduced we remain of the view that the proposed building would poorly relate to its surroundings and the height and monolithic form would be harmful to the conservation area. The scale of the proposals would be particularly oppressive in relation to the narrow width of Silk and Primrose Street, which were originally laid out to accommodate 19C 2-3 storey terraced houses of much smaller scale. We note that other, nearby sites within and adjacent to the conservation area are being developed in a more sensitive way at a more appropriate scale. The impact on the setting of Victoria Square, grade II, is a matter for the Council and its conservation team to consider.

All development must preserve or enhance the character and appearance of the conservation area under section 72 of the 1990 Act. The NPPF emphasises that great weight should be given to the conservation of heritage assets (NPPF 193), in this case the Ancoats Conservation Area. Account should also be given to the desirability of sustaining and enhancing the significance of heritage assets (NPPF 192).

We consider this development would currently fail to satisfy this statutory and policy context, causing harm that requires clear and convincing justification (NPPF 194). If there is a clear and convincing justification the resulting harm would need to be weighed in relation to any public benefits arising from the proposals (NPPF 196).

This development would cause harm to the significance, character and appearance of the Ancoats Conservation Area. It is unclear why this largely vacant site cannot be viably developed in a more sensitive way at a lower scale, similar to other nearby sites, and no convincing justification is provided to demonstrate why it must be developed in this way. The proposals would fail to meet the statutory and policy tests outlined above. It is necessary to re-consider the proposed height, form and massing of the scheme to ensure it preserves and enhances the character and appearance of the conservation area.

We, therefore, cannot support this application.

**Greater Manchester Archaeological Advisory Service (GMASS)** – The heritage report does not provide the necessary detailed analysis of the archaeology potential at the site. It is recommended that such a document is prepared as part of the consideration of this planning application. In the event the application is determined without an appropriately worded condition should be imposed on the planning permission.

**Manchester Conservation Areas and Historic Buildings Panel** – The panel noted that the character of the Ancoats Conservation Area has changed from a balanced ratio of small and large buildings to one that is now dominated by larger scale buildings.

The panel noted that the existing building on site is of a smaller scale and of some interest in the conservation area and could have a future function and be retained within the proposals. They advised that the site could have a bite taken out of it to retain the existing 1950s block.

The panel noted that an adjacent development on George Leigh Street has been constructed in two blocks reducing from a higher element down to five storeys and as such does not dominate. Whereas they felt that his proposal was too dominant and a monolithic building on the site, too high and out of context with the wider area.

The panel felt that the top floor was weak and looks like an extension rather than an integrated part of the building design. They also would like to see a strong plinth with more doorways directly on to the street.

**Greater Manchester Ecology Unit** – There are no significant ecological constraints identified. The buildings were assessed as having negligible bat roosting potential. On this basis a precautionary approach should be taken during demolition and an informative imposed on the planning permission in this regard.

In terms of nesting birds there are a number of young trees around the site, and the buildings have some potential for nesting birds. There should be no vegetation clearance in bird nesting season.

The proposal should contribute towards improving the biodiversity at the application site.

**Environment Agency** – The proposed development site appears to have been the subject of past industrial activity which poses a medium risk of pollution to controlled waters. As such, consideration should be given to the impact of the ground conditions work on these waters.

**Flood Risk Management Team** - Details of a surface water drainage scheme shall be submitted for approval together with a management regime and verification report.

**Design for Security at Greater Manchester Police** – The development shall be carried out in accordance with the submitted crime impact statement.

## **Policy**

### **The Development Plan**

The Development Plan consists of:

- The Manchester Core Strategy (2012); and

- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

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

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

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

**SO1. Spatial Principles** - provides a framework within which the sustainable development of the City can contribute to halting climate change. This development would be in a highly accessible location and reduce the need to travel by private car.

**SO2. Economy** - supports further significant improvement of the City's economic performance and seeks to spread the benefits of the growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities. The scheme would provide jobs during construction and would provide housing near to employment opportunities.

**SO3 Housing** - supports a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth. Manchester's population grew by 20% between 2001 and 2011 which demonstrates the draw of the city and the power of its economy within the region. The growth of economy requires the provision of well-located housing such as this to provide an attractive place for prospective workers to live in so that they can contribute positively to the economy.

**SO5. Transport** - seeks to improve the physical connectivity of the City, through sustainable transport networks, to enhance its functioning and competitiveness and provide access to jobs, education, services, retail, leisure and recreation. This development would be in a highly accessible location, close to all modes of public transport and would reduce the need to travel by private car and make the most effective use of existing public transport facilities.

**SO6. Environment** - the development would be consistent with the aim of seeking to protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources in order to:

- mitigate and adapt to climate change;
- support biodiversity and wildlife;
- improve air, water and land quality; and



- improve recreational opportunities;
- and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

**Policy SP1 ‘Spatial Principles’** one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City’s transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The proposal would contribute towards meeting housing growth in the City and creating a high quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on local residents along with promoting a high quality design and new public realm and linkages.

**Policy EC3 ‘The Regional Centre’** states that housing would be appropriate within the Regional Centre and should complement mixed use employment areas and higher density development is appropriate. The proposal would provide a dense residential development thus contributing towards the City housing growth.

**Policy CC3 ‘Housing’** states that residential development in the City Centre will comprise apartment schemes. The Council will encourage accommodation of a high standard which offers accommodation which is large enough to suit a range of occupants, in terms of both the number of rooms and their size. This proposal offers a mixture of property types with the predominant offer being larger accommodation suitable for families and in line with adopted space standards.

**Policy CC5 ‘Transport’** states that proposals will be supported that improve pedestrian safety, improve air quality and increase the scope for accessible public realm improvements. The policy also seeks to ensure that developments have adequate car and cycle provision. This proposal seeks to provide footway improvements at the site. Cycle provision has been maximised along with a package of measures to improve access to alternative forms of transport.

**CC6 ‘City Centre high density development’** states that City Centre development will generally be high-density. It is a location where land should be used to maximise its efficiency. The appropriate scale, massing and height of development in the City Centre will significantly exceed what is appropriate elsewhere in the City. The proposal is a significant development in terms of its density and scale and would involve an efficient use of land.

**Policy CC9 ‘Design and Heritage’** states that design of new buildings will need to be of the highest standard in terms of appearance and function. Development in Manchester should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments. The Council will support high density and mixed use development, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. The proposal is considered to be of high design quality and provide a significant opportunity to regenerate this part of Manchester.

**Policy CC10 ‘Place for everyone’** states the City Centre will develop as a location which appeals to a wide range of residents and visitors

**Policy T1 ‘Sustainable Transport’** seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes whilst encouraging other forms of transport such as cycle, car sharing and car clubs.

**Policy T2 ‘Accessible areas of opportunity and needs’** This proposal would be in a highly sustainable location, close to all forms of public transport and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

**Policy EN1 ‘Design principles and strategic character areas’** The proposal’s considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

**Policy EN2 ‘Tall Buildings’** must be of excellent design quality, appropriately located, contribute sustainability and place making and bring regeneration benefits. They must complement the City’s built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including to its skyline and approach views. Suitable locations would include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes. The proposal is considered to be a high quality development that will have a positive impact on views into the City and the regeneration of the area.

**Policy EN3 ‘Heritage’** proposals for development that complements and takes advantage of the distinct historic and heritage features of the City Centre are encouraged. They must preserve or enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Consideration has been given to heritage assets and this is clearly set out below.

**Policy H1 ‘Overall Housing Provision’** states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised.

The development will form a dense residential scheme within an area that is expected to accommodate housing growth. Consideration has been given to the design, siting and scale of the building along with prioritising the re-use of a

previously developed site. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The accommodation is generous in size with a large number of the properties being 2 and 3 bedroom accommodation.

**Policy H8 'Affordable Housing'** states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The viability of the scheme has been considered and is deliverable in its current form. Further details will be provided in the main body of the report in this regard.

**EN4 'Reducing CO2 emissions by enabling low and zero carbon development'** the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies

**Policy EN5 'Strategic areas for low and zero carbon decentralised energy infrastructure'** the regional centre has a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.

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

Consideration has been given to how the buildings functions would reduce overall energy demands and the building fabric is considered to be high quality and would allow energy costs to remain low.

**Policy EN9 'Green Infrastructure'** states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. There is limited green infrastructure at the site and that which is present is of limited quality. There will, however, be opportunities to improve green infrastructure as part of the development proposals in the form of landscaping.

**Policy EN14 'Flood Risk'** development should minimise surface water runoff, and a Flood Risk Assessment (FRA) is required for proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water runoff and a scheme will be agreed which minimises the impact from surface water runoff.

**Policy EN15, 'Biodiversity and Geological Conservation'**, requires developers to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. The application site is not considered to be of high quality in ecology terms. .

**Policy EN16 'Air Quality'** The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases.

**Policy EN17 'Water Quality'** Consideration has been given to minimising the impact on the surrounding water courses including those which may be under ground.

**Policy EN18, 'Contaminated Land'**, The applicant has provided provisional details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine if any mitigation is required.

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

**PA1 'Developer Contributions'** states that where needs arise as a result of development, the Council will seek to secure planning obligations. Through such obligations, the Council may seek contributions for a number of benefits, including affordable housing, with priorities assessed on a site by site basis. This is discussed later in relation to the submitted Financial Viability Assessment.

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

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

The applicant has given careful consideration to the design, scale and layout of the development along with providing solutions to prevent noise ingress, crime, refuse and car and cycle parking. The proposal also meet the City Councils space standards.

For the reasons given, and within the below analysis, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

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

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

**Saved DC7 ‘New Housing Development’** states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

The proposal meets City Council spaces standards and will be accessible for all residents of Manchester.

**Saved policy DC18 ‘Conservation Areas’** states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve or enhance the character of its designated conservation areas by carefully considering the following issues:

- i. the relationship of new structures to neighbouring buildings and spaces;
- ii. the effect of major changes to the appearance of existing buildings;
- iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- iv. the effect of signs and advertisements;
- v. any further guidance on specific areas which has been approved by the Council.

Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

The proposal has been designed to enhance the conservations with a high quality building.

**Saved policy DC19 ‘Listed Buildings’** - the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. This is discussed in detail below.

**Saved policy DC20 Archaeology** states the Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments

and sites of archaeological interests, to ensure their preservation in place. This is discussed in detail below.

**Saved policy DC26, Development and Noise<sub>1</sub>** states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

The proposal has been designed to minimise the impact from noise sources and further mitigation will be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

### **National Planning Policy Framework (2018)**

The revised NPPF was adopted in July 2018. The document states that the *'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'* (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 *'Delivering a sufficient supply of new homes'* states that in order to support the Government's objective of significantly boosting the supply of homes, *'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'* (paragraph 59).

With regards to affordable housing, paragraph 64 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable 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.

Section 8 *'Promoting Healthy and Safe Communities'* states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 91).

Section 9 *'Promoting Sustainable Transport'* states that *'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'* (paragraph 103).

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 109).

Within this context, applications for development should:

- a. give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d. allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e. be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 110).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 111).

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 117).

Decisions should support development that makes efficient use of land, taking into account:

- a. the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b. local market conditions and viability;
- c. the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d. the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e. the importance of securing well-designed, attractive and healthy places. (paragraph 122)

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being

built at low densities, and ensure that developments make optimal use of the potential of each site.

Paragraph 123 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

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

Planning decisions should ensure that developments:

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

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

In determining applications, great weight should be given to outstanding or innovative designs 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 131).

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).



Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

Section 16 '*Conserving and enhancing the historic environment*' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 189).

In determining applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 192)

In considering the impacts of proposals, paragraph 193 states that the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

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

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

- d. the harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 195).

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

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

### **Planning Practice Guidance (PPG)**

The relevant sections of the PPG are as follows:

*Build to Rent* provides guidance on scheme management, ‘clawback’ mechanisms if the development (or part of the development) is sold and covenant periods.

*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.

## **Other material policy considerations**

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

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

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

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

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

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

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

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

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

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

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

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

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;

Make it future proof;  
Make it a home; and  
Make it happen.

### **Ancoats and New Islington Strategic Regeneration Framework (2016)**

The purpose of this document is to update the Ancoats and New Islington Neighbourhood Development Framework (NDF) approved by Manchester City Council's Executive Committee in October 2014, to reflect further detailed masterplanning work for the area and to take into account changes in policy context and the significant progress that has been made towards delivering the original 2014 NDF proposals

The application site is located within the 'Ancoats Core'. The NDF outlines a series of core development principles which help to guide new development which are developed in this area.

The NDF states that within the Ancoats Core the area will be suitable for complementary new employment and commercial space alongside, or as part of, new residential development which is seen as critical in order to maintain activity levels throughout the day.

The NDF goes on to outline a series of considerations which must be taken into account when determining new buildings in the area. These include responding to historic frontages and building lines, ensuring that infill development is of the highest quality together with use of materials that complement the use of brick in the area. In terms of height, new developments should pick up on existing patterns and rhythms. This is also considered to be important in terms of elevational treatment such as deep window reveals. The reinstatement of the grid pattern and character perimeter block is important and will help re-enforce the qualities of the conservation area.

### **City Centre Strategic Plan 2015-2018 (March 2016)**

On the 2 March 2016 the City Council's Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to "shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England".

The report recognises 'Corridor Manchester' as a unique area of the City, and the most economically important in Greater Manchester.

The plan identified that there has been strong population growth over the last 20 years and demand for city centre living is rapidly increasing. It also reflects on the scale of development in the 'Corridor Manchester' area which include the delivery of initial phases of the University of Manchester Campus Masterplan, new facilities for

Manchester Metropolitan University and new City labs which are bespoke built biomedical facilities.

The strategy identified the continuing development of the University of Manchester and Manchester Metropolitan campus masterplans to create high quality learning environments that enhance the student experience.

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

The strategy sets the long term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the centre for residential is fundamental along with creating a major visitor destination.

The strategy identifies the importance of the Universities in the City (and region) and recognises their established reputation in the science, research and development sector. This attracts and retains students in the City. The strategy also recognises the importance of education, particularly to degree level and the importance of apprenticeships. It seeks to ensure all children have access to high quality education and seeks to retain and grow the high quality Universities.

Amongst other matters, the vision includes:

- Have a competitive, dynamic and sustainable economy that draws on our distinctive strengths in science, advance manufacturing, culture and creative and digital business – cultivating and encouraging new ideas;
- Possess highly skilled, enterprising and industrious people;
- Be a place where residents from all backgrounds feel safe, can aspire, succeed and live well;
- Be clean, attractive, culturally rich, outward looking and welcoming.

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

*Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow'*

There are four objectives in order to achieve this vision:

1. Improve the quality and function of existing green and blue Infrastructure, to maximise the benefits it delivers

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

### **Other legislative requirements**

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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

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

### **Ancoats Conservation Area declaration**

The significance of the Ancoats Conservation Area is derived from the former cotton spinning mills, which dominate the area and are principally located adjacent to the Rochdale Canal and the nearby housing. Historically throughout the area, there have always been commercial and residential buildings. This juxtaposition, and interlinking of manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world.

Furthermore, the concentration of mill buildings within Ancoats has become an important landmark in the history of the Industrial Revolution. Murray Mills, McConnel and Kennedy Mill, along with others in the area, represent a clear chronology of development of cotton mill architecture from 1800 to the 1920s.

Although the area is dominated by the mill buildings, the Conservation Area also contains other Listed Buildings of differing character.

### **Environmental Impact Assessment**

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The nature of the proposal falls outside of the threshold within “Urban Development Projects” which is 150 residential units. As such, a screening opinion has not been adopted in this regard.

### **Demolition in a conservation area**

The application site accommodates an existing part, single, part two storey industrial building dating from the 1950s which fronts Bengal Street together with secondary frontages to Primrose Street and Silk Street. The remainder of the site, towards Radium Street, is utilised as surface car parking and is secured by weld mesh fencing.







This planning application seeks consent to demolish this building in order to provide a cleared site in preparation for the proposed development. As the application site is located in the Ancoats Conservation Area, it is necessary to determine if the demolition works are acceptable and what impacts there will be on the significance of the Conservation Area. The building designated heritage asset due to it being located within the conservation age. The building, due to its age, has social, architectural and historical significance representing the redevelopment and evolution of the area in the 1950s when industrial buildings of this nature were constructed following clearance works of domestic terrace housing.

Paragraph 201 of the NPPF states that not all elements of a conservation area will necessarily contribute to its significance. The guidance goes on to state that the loss of a building which makes a positive contribution to the significance of the conservation should be treated as either substantial harm or less than substantial harm, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole.

As detailed above, the building is an example of a 1950s industrial building that was constructed at the site following the clearance of the late 18<sup>th</sup> and early 19<sup>th</sup> century housing. These properties were cleared in the 1940s with the present building on site being constructed in the 1950s and occupied by an electricity contractor.

Paragraph 194 of the NPPF states that 'any harm to the significance of a designated heritage asset (from its alteration or from development within its setting), will require a clear and convincing justification.

The applicant's heritage statement outlines that the current building on the site has minimal heritage value in built heritage terms. The report goes on to state that the interest of the application site lies in its history in terms of the terrace housing that previously occupied the site and the grid plan form of the road network which surrounds the site. In addition, the application site is surrounded by some important heritage assets such as the listed Victoria Square and the non-designated heritage asset of the Shamrock public house. They go on to state that the regeneration potential of the site outweighs any harm.

The building is a low rise commercial building that sits alongside the more dominant heritage buildings thereby contributing to the variety and juxtaposition of building heights across the conservation area and wider townscape.

The loss of the building will result in a minor degree of harm and will have a permanent and irreversible impact on the setting of the Conservation Area. However, it is noted that Historic England have not raised any objections to the loss of the building.

In line with the tests outlined within paragraphs 194 and 196 of the NPPF, it is considered that the demolition of the building will result in 'less than substantial harm' to the setting and significance of the conservation area.

As required by paragraph 196 of the NPPF, a balancing assessment must be undertaken between the 'less than substantial harm' and whether it has been demonstrated that the 'public benefits' derived from the development outweigh this identified harm.

The building and wider application site, has been largely vacant for some time. The redevelopment of the entire site, including the potential for a high quality building which includes car parking, active frontages, and new homes, adds to the necessary public benefits which are required to outweigh the harm to the conservation areas having regard to the tests in the NPPF and the Listed Building and Conservation Areas Act.

These public benefits of the proposed development will be considered in further detail elsewhere within this report.

### **Principle of the proposal and the schemes contribution to regeneration**

The application site is located in the City Centre and Regional Centre for planning and regeneration purposes. The Ancoats area has been identified as a key regeneration priority where new residential developments will be encouraged in order to develop and grow a new neighbourhood within this part of the City Centre. A number of planning permission have been granted in the area which have seen new residential led developments constructed and occupied together with ancillary commercial space which has added positively to the vitality of the neighbourhood.

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its longer term economic success. There is a crucial link between economic growth, regeneration and the

provision of new homes and, as the City moves into its next phase of economic growth, further housing must be provided to support and complement it.

This development will provide 75 new homes together with 3124 sqm of B1 office space over 3 floors. There would be an emphasis on large accommodation within the development with over 65% of the accommodation being two and three bedrooms which will mean that they are suitable and attractive to families who wish to come and live in this part of the city. With the accommodation being consistent with the City's adopted space standards, it can be guaranteed that the accommodation will be of the highest quality.

Manchester is the fastest growing city in the UK, having increased its population by 19% since 2001, with the city centre increasing its population 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. Around 3,000 new homes are required per each year and the proposal would contribute to this need. Providing the right quality and diversity of new housing for the increasing population would be critical to maintaining continued growth and success.

The proposal would provide 75 homes towards the target of 2,500 new homes per annum set out in the 2016 Housing Strategy for Manchester. The high density proposed would use the site efficiently and help to meet housing and employment needs of the City.

The new homes would be consistent with growth priorities and as part of meeting the objectives of policies H1 and H3 of the Core Strategy. These homes would meet the demands of a growing economy and population on a well-connected brownfield site.

As part of a development of this nature, construction jobs will be available and in order to ensure residents benefit from these jobs, a local labour proposal will be developed with the applicant and secured as part of the conditions of the planning approval. In addition, creating new homes close to the city centre, will reduce commuter distances and help to create a low carbon city.

It is considered that 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. The proposal is therefore considered to be consistent with the National Planning Policy Framework, and Core Strategy policies H1, H5, SP1, EC3, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

### **Affordable Housing**

Policy H8 establishes that new development will contribute to the City-wide target for 20% of new housing provision affordable and 20% should be used as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

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

An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, a viability assessment demonstrate that a scheme cannot deliver affordable housing. Examples of these circumstances are set out in part 4 of Policy H8.

The application proposes 75 new homes for rent through a Private Rented Scheme (PRS)/build to rent model. The delivery of new homes and the regeneration of the Ancoats area is a priority for the Council. The proposal would develop a brownfield site and re-create active street frontages. It would be a high quality scheme in terms of its appearance and would comply with the Residential Quality Guidance. All these matters have an impact on the scheme's overall viability.

A viability report demonstrates that it is not possible to provide a contribution towards affordable housing as this would make the scheme unviable. This has been independently assessed on behalf of the Council and the findings are accepted.

In coming to this conclusion, it is agreed that the benchmark land value for the site is £750,000.

The applicant's construction costs were stated as £17,707,591 with total costs at £20,442,395 which would give a profit of 8.5%.

The Council's testing of the viability of this scheme considered a more reasonable figure for the construction costs would be £17,243,359 with total costs at £22,000,616. This gave a profit figure of 3.52%.

It is clear that the viability of the scheme is marginal. On this basis, it is not possible for the scheme to support an affordable housing contribution in this instance without making the scheme unviable.

As this is a build to rent model, the applicant has agreed to enter into a legal agreement which secures the homes on a PRS basis for a covenant period. Should the applicant sell any of the homes within the covenant period this will be subject to a 'clawback' mechanism where, subject to viability, if it is shown there has been an uplift in the viability a full or partial contribution towards the affordable housing requirements within policy H8 will be sought.

It should also be noted that there will be a review mechanism built into the legal agreement to re-test the viability at future date.

### **Tall Building Assessment including impact on townscape**

One of the main issues to consider is whether the scale of the development is appropriate. At 9 storeys, this is a relatively tall building and as such the proposal has been assessed against Core Strategy Policies that relate to Tall Buildings and the criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABI. Historic England's Advice Note 4, 2015 updated the CABI and English Heritage Guidance published in 2007, responding to the National Planning Policy Framework and the increase in proposals for new tall buildings. The Advice Note identifies a series of steps that should be undertaken at pre-application for tall buildings which have been addressed.

A Townscape and Visual Impact Assessment has examined the impact the proposal would have on its context. It explores the effect there would be on the established Townscape Character Zones, significant Heritage Assets and views using established methodologies and practices. The impact of the proposal is considered in isolation and in conjunction with committed development in a Cumulative Assessment.

A computer model has provided images which illustrate the impact of the proposal on the townscape from agreed views on a 360 degree basis. This allows the full impact of the scheme to be understood.

The proposal would also have a significant effect on views and the people who live, work in and visit Manchester. A Visual Impact Assessment (VIA) has assessed where the proposal could be visible from, its potential visual impact on the conservation area and the setting of designated listed buildings. The assessment utilises the guidance and evaluation criteria set out in Historic England's "Good Practice Advice in Planning Note 3: The Setting of Heritage Assets" (2015) and adapts the methodology outlined in their document, "Seeing the History in the View: A Method for Assessing Heritage Significance within Views" (May 2011).

Seven key viewpoints were considered as follows:

- *Viewpoint 1 – looking south westwards down Oldham Road towards the City Centre*
- *Viewpoint 2 – from within the Ancoats conservations are junction with Radium Street and George Leigh Street*
- *Viewpoint 3 – junction of Radium Street and Jersey Street*
- *Viewpoint 4 – junction of Bengal Street and Jersey Street*
- *Viewpoint 5 – view across Cutting Room Square from Hood Street*
- *Viewpoint 6 – view from Marshall Street*
- *Viewpoint 7 – view from the north western boundary of the conservation area along Oldham Road*

The conclusions of the assessment demonstrate that the current condition of the application site, with its partially vacant nature and poor quality street frontages, detracts from the quality of the street scene and historic environment. In addition, the development site provides an opportunity to reinstate a dense urban block to the street edges.

The proposed development will secure the development of this long standing partially vacant site within the conservation area. Whilst the building is considered tall for the conservation area context, becoming one of the tallest buildings in the area, the quality of the design and architecture of the building will complement the conservation area and its position adjacent to some important listed buildings. The street scene will be activated by the office accommodation which will occupy the lower floors whilst the upper floors residential accommodation will be characterised by well detailed elevations and brick work.

### **Impact of the historic environment and cultural heritage**

The application site is located within the Ancoats Conservation Area. As detailed elsewhere within this report, the significance of the conservation area is derived from its industrial heritage which was laid out in a grid pattern which created a dense urban form and enclosed streetscapes. The conservation area is of most significance where the large mill buildings sit alongside smaller domestic and industrial buildings arranged in a dense form within the grid pattern.

The existing building on the site is not listed but does contribute to the significance and historical evolution of the conservation area. The demolition of the building is considered elsewhere within this report.

The application site is also located in close proximity to a number of listed buildings. these are as follows:

- Victoria Square (Grade II);
- Beehive Mill (Grade II\*);
- Former church of St Peter (grade II);
- Former Ancoats Police Station (Grade II);
- Murray Mills complex (Grade II/II\*);
- New Little Mill/Waulk Mill (Grade II).

In addition to the above, the Shamrock public house, which is situated adjacent to the application site on the corner of Bengal Street and Silk Street is considered to be a non-designated heritage asset.

Legislation and planning policy seek to preserve and enhance the character, appearance, and historic interest which heritage assets possess. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“P(LBCA)A 1990”) require that ‘special regard’ be paid in taking decisions affecting listed buildings and their settings and conservation areas.

A heritage assessment has considered the impact of the proposal on the historic environment as required by paragraph 189 of the NPPF. The setting of the heritage assets and any impact on any key views has been addressed to allow the impact of the proposal to be understood and evaluated.

Whilst a number of listed buildings have been identified, the key listed and heritage assets affected by the proposal are Victoria Square and the Shamrock public house. In addition, there are a number of key views within the conservation area which will

be affected which include some of the other listed buildings mentioned above. These form part of the wider character and views of the application site and have been considered within the townscape and visual impact assessment.

Victoria Square, which is located immediately west of the application site, is a municipal housing block and occupies a prominent position fronting Oldham Road. The building is architecturally and socially significant as it represents an example of a new concept in social housing at the time of its construction. It is a city block construction and responds to the grid iron pattern of the conservation area whilst providing a more spacious offer than the dense terrace properties that once dominated the area.

Within the heritage assessment prepared by the applicant, 7 key view points from within and around the conservation area were considered and the impacts on the historic environment identified.

*Viewpoint 1 – looking south westwards down Oldham Road towards the City Centre*

Within this view Victoria Square is clearly evident together with the boundary of the conservation area. Whilst the characteristics of the conservation area are evident in this view it is fragmented by other newer development.



It is noted that the proposed development forms a significant new feature within the street scene as the proposed development can clearly be seen rising above the low rise building along Oldham Road. The scale of the building can be visibly seen within the setting of Victoria Square and provides a new feature to the boundary of the conservation area from Oldham Road. As the proposed development is set back from Oldham Road by one block this does reduce the overall impact of the block and makes it less dominant in the street scene. This allows an unimpeded view of the North West corner of Victoria Square from Oldham Road.

Overall it is considered that the proposed development will have some low level impacts on this view, particular the setting of the Victoria Square.

*Viewpoint 2 – from within the Ancoats conservation area are junction with Radium Street and George Leigh Street*

This view is dominated by the west elevation of Victoria Square which can clearly be seen in front of the cleared site and substation which is situated to the rear of the Shamrock public house.



The proposed development represents a substantial new feature within this part of the conservation area. Notwithstanding this, view of the Victoria Square is largely unimpeded and therefore can still be appreciated from this vantage point. In addition, the proposed development will also have a positive impact on the setting of the conservation area from this view as it will reinstate a perimeter block development to the grid patterns which has become fragmented over recent years.

Overall it is considered that the proposed development will have a low level of impact on the setting of the conversation area and listed buildings.



*Viewpoint 3 – junction of Radium Street and Jersey Street*

This view is dominated by Beehive Mill and a range of other Victorian brick built industrial buildings all of which make a positive contribution to the conservation area in that they are dense developments built to the footway edges offering a tight urban grain.



The completed development would have minimal impact on this view with the listed building and other key buildings being largely preserved. The proposed development will provide building form to Radium Street which will be a positive addition to the conservation area.

#### *Viewpoint 4 – junction of Bengal Street and Jersey Street*

This view allows the corner of Victoria Square to be seen from Bengal Street. Since the heritage assessment was undertaken, the view has been obscured further by a recent development on the plot to the left of the image.



The proposed development will have a limited impact on the listed building and the conservation area from this view point. The development will just be visible in the background of this image and respond positively to the blocks of development in the view fronting Bengal Street. Overall the impact on the setting of the conservation area and the setting of Victoria Square from this viewpoint is imperceptible.

#### *Viewpoint 5 – view across Cutting Room Square from Hood Street*

The view looks across the square from Hood Street. The main building of importance in view is the grade II listed former Church of St Peter. There is no view of Victoria Square and the view towards the application site being obscured by a recent development. As such, there will be no impact on the setting of the conservation area or nearby listed building from this view point.

#### *Viewpoint 6 – view from Marshall Street*

This view is taken from within the New Cross area of Manchester looking towards the conservation area. The view is dominated by the terrace properties along and near the Oldham Road frontage which are a positive contributor to the conservation area. To the left of the view is the grade II listed former ambulance and police Station. There is also a long ranging view of Victoria Square from this vantage point.



The proposed development will be just visible behind Victoria Square. Given the extent of building which will be visible it is considered that this will have a modest impact on the setting of Victoria Square. It is not considered that there will be any impact on the fire station as a result of the development.

*Viewpoint 7 – view from the north western boundary of the conservation area along Oldham Road*

Victoria Square dominates the view on the right hand side of the image facing onto Oldham Road. The key characteristics of the conservation area are clearly evident from this view point with a change in scale of the built form. The proposed development will not be visible from this view point and therefore will not have any impact on the setting of the conservation area.

### **Impact Assessment**

There will be a low level of harm to the conservation area as a result of the loss of the existing building on site, which contributes to the significance of the conservation through its low rise scale which provides a juxtaposition to the taller buildings in the area. In addition, there are impacts associated with the scale of the proposed building within the conservation area and on adjacent listed buildings. The level of harm is considered to be less than substantial as defined by paragraph 196 of the NPPF and as required by paragraph 196 of the NPPF public benefits significant public benefits exist to mitigate against this low level of harm. These public benefits will be considered in detail below.

The proposal would regenerate a partially vacant site within the Ancoats conservation area. Whilst the current building fronting Bengal Street does make a positive contribution to the significance of the conservation area, there is a clear opportunity to comprehensively develop the site and provide new development to all the streets edges which surround the site thereby improving the street scene and wider context which is a key factor when developing a site in the NDF area. In

addition, the proposal will provide 75 new homes with the emphasis being on larger accommodation which can be occupied by families.

The proposal would form a large block within the conservation area. Historic England consider that the site would be better suited to a more modest development that could add to the variety of building heights in the conservation area.

A viability appraisal has demonstrated that this quantum of development is required to deliver a viable development.

A minimum of 3 floors of office space would be required at the site a proposition that is viable, manageable and cost efficient. The manner in which the office floor space is laid out would ensure maximum efficiency.

A minimum of 6 floors of residential accommodation is required to create a viable development and deliver new homes.

The viability report has been tested and concurs that this is a required quantum of development. Any reduction height of the building would result in an unviable scheme and the regeneration benefits of the scheme not being realised.

Various design options have been considered and the siting, scale and appearance of the building would respond too many of the key characteristics of the conservation area.

The site currently makes a modest contribution to the conservation area. The site frontages to Radium Street, Primrose Street and Silk Street are poor due to the vacant nature of this part of the plot. The siting of the proposal would address this. The perimeter block arrangement would be built back of pavement, would activate the street edges and re-enforce the grid pattern with built form and therefore re-instate a key feature of the conservation area thereby contribute positively to it.

Part of the significance of the conservation area is derived from the variety of building heights provided by the older mill buildings and the smaller domestic and industrial developments. The applicant considered options which included stepping back more than one storey of the building to give a greater degrees of variety to the massing of the building. However, this increased the overall height of the building.

The approach proposed would reflect a similar form of development to the older mill buildings within the conservation area which are large and robust and built to back of pavement.

Other recent developments in the area have established a height parameter of 8 storeys and are built to create a cohesive form which complements the characteristic of other large, older and newer developments in the area. In addition, there are some development within the conservation area which exceed this height limited. The development of dense developments, situated back of footpath, is not an unusual in this context.

In order to minimise the development the ninth floor would be set back on all frontages together with a change in material to give a light weight appearance. The verified views demonstrate that its impact would be negligible.

Historic England believe that the secondary nature of the roads around the site and their narrow nature, will result in an oppressive form of development. The narrowest part of the site fronts on to Bengal Street and Radium Street and the frontage along these roads, combined with the height, would not create an overly dominate building to these frontages. Indeed, given that Bengal Street and Radium Street are key roads within the conservation area it is important that development is created along these routes thereby animating the street scene.

The narrow nature of Silk Street and Primrose Street would mean that the development would be prominent along these roads. However, back of pavement development is a key characteristic of the conservation area where dense development is situated along footway edges. Terrace cut outs have been provided at street level to create a sense of space together with the creation of a double height glazed entrance space.

The development would be of the highest quality adding positively and complementing the range of architectural styles in the conservation area. The building would contain well detailed brick work, deep window reveals and other openings which echo many of the features of the older buildings in the conservation area whilst utilising modern construction techniques and materials.

Taking the above matters into consideration it is necessary to consider the degree of harm to the conservation area, Victoria Square and other buildings and carry out a balancing exercise in line with paragraphs 193 and 196 of the NPPF.

It is considered that the impact of the proposal on the setting of the conservation area, nearby listed building (particularly Victoria Square) and designated buildings such as the Shamrock public house would be less than substantial harm as defined within the NPPF. As such, and as required by paragraph 196 of the NPPF, the necessary 'public benefits' must exist to outweigh this identified harm.

The public benefits of the scheme are derived from redevelopment of a brownfield site within the conservation area in a positive way and improve the quality of the built form to all of the surrounding streets.

In addition, the massing of the building and the elevational treatment would be of the highest quality and follow many of the characteristics of the conservation area.

The proposal would provide 75 new homes with the emphasis being on family accommodation. Apartment sizes are in line with adopted space standards which adds to the overall offer at the development and would encourage residents to stay longer term and create a community within the building. Roof terraces and communal spaces will also add to the overall attractiveness of the development.

The provision of 3124 sqm of high quality office space will accommodate 174-188 full time equivalent jobs when operational and these will be targeted to SME businesses

and start-ups which will help support economic growth and innovation within the City. It should also be noted that this development is anticipated to create 294-352 FTE jobs during the construction process.

The development would form a large building in the conservation area and exceed the height of other buildings including Victoria Square and development which have recently been completed. This would cause a low level of harm to the conservation area and the adjacent listed building which amounts to less than substantial harm.

The massing would respond positively to the characteristics of other buildings in the area through its cohesive mass and well detailed elevational treatment which provides a building of high quality. As detailed above, the quantum of development proposed is required in order to deliver a viable development. The overall height of the development is minimised by the setting back of the 9<sup>th</sup> floor.

This low level of harm is considered to be outweighed by the considerable public and regeneration benefits that have been detailed above which will not be realised if the height of the building was lower as this would rendered the scheme unviable.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, and paragraph 193 of the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 196 of the NPPF.

### **Impact on Archaeology**

There is potential for below ground archaeology associated with the domestic terrace properties which once occupied the site.

GMAAS consider that it would appropriate to undertake a programme of works on any remains and ground excavations to record the archaeology which will be affected by the development. In addition, they recommend that a building survey is carried on the existing building prior to its demolition.

Following completion of the works, and depending on the quality of the archaeological investigations, there should be some form of commemoration of the remains.

A condition should be imposed on the planning permission to this affect in order to satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

### **Layout, scale, external appearance and visual amenity**

The development would form a rectangular block which would fill the site to its perimeter thereby creating a strong building line to all the street edges which surround the site and strong building corners.

The building will activate the street scene through the incorporation of terraces to the commercial space. These spaces will not only provide a buffer to the street edges but also allow for the introduction of soft landscaping and recreational space for workers.



*Corner of Bengal Street and Silk Street – terraces areas at ground level*

The main entrance to the building, for both the residential and commercial occupiers, will be from Silk Street. The entrance to the car park will be from Radium Street which will provide access to a semi-basement space.



*Main entrance from Bengal Street*

The scale of the building mirrors the massing and proportions of some of the older buildings in the conservation area together with newer developments which have recently been completed. At 9 storeys, the development would form a large building in this context. However, the massing of the building has been designed at 8 storeys with a set back at the 9<sup>th</sup> floor to respect of the adjacent listed building and minimise the overall impact on the height of the building.

The proposed development will also respond positively to the significance of the conservation area through its juxtaposition with the surrounding lower rise buildings such as the Shamrock and the Mustard Tree buildings which are smaller in stature than the proposed development.

The appearance of the development has been designed to reinforce the façade treatment and materiality found elsewhere within the conservation area in order that the development complements and enhances the characteristics of the historic environment.

The building will be of a masonry construction, being principally red brick, with glazing for the windows and a cladding system for the 9<sup>th</sup> floor of the building.

The window arrangement within the development will be arranged within a regular grid format which helps unify the massing of the building. Similar arrangements can be found in other buildings within the conservation area.





The windows have deep reveals and have either a simple or elaborate detailing which adds interest to the overall mass of the building.

Overall the design is considered to be high quality offering an individual and distinctive piece of architecture. The scale of the building is appropriate in this location and the materials deliver a simple and effective façade treatment. Conditions of the planning approval will ensure that the materials are devised and undertaken to the highest standard.

### **Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment**

As the development occupies the entire plot there is no opportunity for public space. However, the footways around the application will required re-instatement and improvement as part of the proposals. In this regard, there is an opportunity to improve the setting of the building and the conservation area by using enhanced materials for the footways which are befitting to the areas status. It is recommended that the improvements to the footways are agreed as part of the conditions of the planning approval.

The setting of the building, from the street scene, is enhanced through the incorporation of a series of terrace 'cut outs' at the ground floor level of the building. This will provide recreational space for the office accommodation and can also accommodate planting and soft landscaping to provide activity and interest at street level.

The proposal includes private and shared amenity space for the occupants of the residential accommodation. On the eight floor private roof terraces will be created for these apartments within the space created by the setting back of the upper floor

accommodation from the main block edge. This will provide usable space for these homes for recreational purposes. A communal roof terrace will be created for all of the residents of the building to enjoy. This will have zoned areas of hard and soft landscaping together with a residents room.

### **Loss of trees**

There are 8 trees in and around the application site all of which are category C trees (trees of low quality). The development proposals will see the removal of 6 of these trees as part of the redevelopment proposals.

Policy EN9 states that new developments will be expected to maintain existing green infrastructure. The policy goes on to state that where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

The trees at the application site are not protected by a Tree Preservation Order (TPO), however, as they are located in the conservation area. As such, this planning application also includes a notice of the applicant's intent to remove these trees within the conservation area.

The trees which will be removed are located along the Radium Street and Silk Street frontages of the site. The loss of the trees will result in soft landscaping from the application site. However, given the low value of the trees, together with their position in the site, it is considered that the removal of the trees currently have a neutral impact on the conservation area. The regeneration benefits of facilitating the redevelopment of the site will outweigh any harm which will result from the removal of the trees.

In order to satisfy policy EN9, it should be noted that soft landscaping elements do form part of the landscaping scheme within the roof garden. In addition, although the footways around the application site are narrow, which may make street trees difficult to accommodate, a condition of the planning approval will be to explore the possibility of street trees in and around the application site.

### **Impact on Ecology**

An ecological appraisal, including a bat inspection, concludes that the development would not result in any significant or unduly harmful impacts to local ecology including bats, and Greater Manchester Ecology Unit concur with the findings. It has been requested that an informative of the planning approval highlights that should bats be found during the works that works ceased under the site has been inspected by suitably qualified individual. In addition, a condition is recommended to be imposed to prevent vegetation clearance within bird nesting season.

The proposals provide an opportunity for biodiversity enhancements with the inclusion of the landscaped roof garden which would contribute to green infrastructure and biodiversity of the application site in line with policy EN9 of the Core Strategy.

## Effects on the Local Environment/ Amenity

### a. Sunlight, daylight, overshadowing and overlooking

An assessment has been undertaken to establish the likely significant effects of the proposal on the amount of daylight received by properties which surround the site. It should be noted that there is no requirement to consider impact on available sun light as none of the effected properties are 90 degrees due south. Consideration has also been given to any instances of overlooking which would result in a loss of privacy.

To assess the surrounding existing properties, the BRE guidelines have been used to provide a method for assessing daylight – Vertical Sky Component (VSC), No sky Line (NSL) methods and Average Daylight Factor (ADF).

The residential properties which were assessed are as follows:

- Victoria Square – windows which face onto Bengal Street;
- Shamrock public house – upper floor residential accommodation.

In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 123 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

In terms of Victoria Square a total of 114 windows were considered. For VSC, 98 windows will experience a reduction of less than 20% with the remaining windows decreasing more than 20% with the largest reduction being 29%. The ADF and NSL results are more mixed with some rooms or windows exceeding the targets whilst others have fallen short.

The results for the Shamrock show that daylight would decrease to these windows for VSC, ADF and NSL. Whilst the public house is currently closed, it is still capable of being occupied.

It is noted that the proposed development will have some minor adverse impacts on the available daylight to the windows in these buildings. Given the characteristics of the area, which is one dominated by dense blocks of development arranged around a tightly packed road network, it is inevitable that impacts will arise.

It is considered that such impacts are not unusual for this context and therefore a balance judgement has to be formed as to whether the development would be harmful. In this instance it is considered that results of the daylight survey are not unduly harmful and the gap between the proposed development and Victoria Square will allow a perceived sense of space between the two blocks to be retained. The impact on the public house is considered to be more acute, however, given the scale of the pub any development is likely to cause the same level of harm to these

windows. It is considered that the effects are not unduly harmful for this context and do not warrant a refusal of the proposal on this ground.

## **Overlooking**

The following privacy distances apply to the surrounding residential developments:

- Victoria Square – 16.6 metres;
- Shamrock public house – 6.4 metres

Such distances are standard in the area and the proposal is separated from these properties by the existing road network. The other surrounding buildings to the application site are commercial in nature and therefore will not be impacted to the same degree from overlooking.

The gap between the proposed development and Victoria Square is not considered to be unusual for this context and will not give rise to any unduly harmful impacts from overlooking.

Whilst the gap between the proposed development and the Shamrock is narrow, it will be the windows of the proposed offices which will overlook the habitable windows to the Shamrock and therefore the level of harm will be minimised.

### **a. TV reception**

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services. Should any impacts arise then this can be mitigated through antenna upgrade or realignment of the transmitter.

A condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

### **a. Air Quality**

The application is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of emissions from roads. An air quality report explains that there would be some inevitable impacts on air quality during the construction phases from dust from earth works/construction and vehicle emissions. The applicant is committed to good practices to minimise the impacts on air quality conditions and these practises should remain in place for the duration of the works and be included in the list of planning conditions.

The main impacts during the operational phases would be from vehicle movements and servicing requirements. The applicant has taken a balanced approach to onsite parking given the close proximity to public transport. There will be 100 cycle spaces together which exceeds the requirements for the development together with 5 on site electric car charging points.

Environmental Health concur with the conclusions and recommendations within the air quality report. In light of the mitigation measures proposed above, which will be secured by planning condition, it is considered that the proposal will comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there will be no detrimental impact on existing air quality conditions as a result of the development.

### **Noise and vibration**

A noise assessment identifies the main sources of noise being from: noise from plant and construction activities together with consideration of the acoustic specification of the building to limit noise ingress from external noise, particularly from nearby roads.

It is noted that the surrounding area is a densely populated residential neighbourhood of the city centre. Whilst noise and disruption from construction activities will be noticeable, it is considered that the noise levels would be acceptable provided that the strict operating and delivery hours are adhered to along with the provision of a perimeter site the hoarding with acoustic properties, equipment silencers and regular communication with nearby residents.

The main sources of noise to the apartments when occupied would be from nearby traffic. There could also be noise from the commercial space within the building and surrounding street. Appropriate glazing would ensure that noise levels within the apartments are acceptable. The hours of the commercial units should be restricted to protect amenity within the apartments. The operating hours of the roof terrace is agreed in order to minimise impacts on residential amenity.

Provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

### **Waste management**

The development has separate waste management arrangements for the residential and commercial elements.

The apartments are large enough to have waste storage within kitchen areas which will allow occupants to separate their waste and ensure that they recycle. It will be residents responsibility to take their waste to the designated waste store which is located in the basement. The waste store for the offices is also located in the basement area. Both residents and office occupants will be able to access the basement are through the lift.

The waste stores have been designed to meet Council standards which is calculated for high rise blocks based on the size of the space per apartment. The proposal seeks to provide a 33 sqm capacity refuse store for residential store

The office space will have a store room of 18 sqm and this will contain 3 x 1100 litre general refuse containers and 3 x 1100 litre recycled bins. It is proposed that these bins will be collected on a weekly basis.

As detailed above, Servicing and refuse collection would take place on Street via the creation of a new dedicated on street loading bay which will be delivered by the applicant on Radium Street.

### **Accessibility**

The applicant has confirmed that the building will be fully accessible and comply with the relevant requirements for building regulations. All of the apartments will be wheelchair accessible and lobby areas, terrace space and shared spaces will have level thresholds.

A platform lift will be installed within the building which will allow all floors of the building to be fully accessible. Within the basement area there will be 3 disabled car parking spaces together with space for the storage of mobility scooters.

### **Flood Risk/surface drainage**

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

The site is within a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network. These areas are sensitive to an increase in the rate of surface water run off and/or volume from new developments which may exasperate local flooding problems.

The applicant has prepared a drainage statement in support of their planning application. This has been considered by the City Council's flood risk management team who consider that further consideration should be given to how the drainage systems at the site will work in order to prevent surface water run off along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that the approval, verification and monitoring of the drainage forms part of the conditions of the planning approval.

### **Impact on the highway network/car/cycle parking and servicing**

A transport statement notes that the site is accessible to a range of transport modes and is close to the amenities and services located in the heart of City Centre. Manchester Victoria train station and Shudehill Metrolink station are all within 15-minute walk.

The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

A total of 15 car parking spaces (including 2 disabled parking spaces and five electric car charging points) are proposed within the basement of the development and accessed off Radium Street. This equates to 20% provision. Highway Services have no objection to the level of parking provision in light of the highly sustainable location. In addition, this low level of car parking is entirely in accordance with the guidance within the Core Strategy and the Residential Quality Guidance which states that the constraints of the development site and the close proximity of public transport should be a key consideration when considering the level of onsite provision.

If there is a requirement for the storage of mobility scooters there is sufficient room to provide safe and secure storage within the car park area.

The level of car parking is supported by the provision of 100 cycle spaces which will be located within a dedicated secure cycle store in the basement of development. In addition, there will be a robust travel plan which will consider how best to support the ongoing travel needs to the occupants of the development. In line with the comments of Highway Services the applicant should consider how residents would access offsite parking if it is needed. This should therefore form part of the conditions of the any approval and the ongoing monitoring of the travel plan.

Servicing will take place from Radium Street and a servicing strategy will be secured as part of the conditions of the planning approval.

The applicant has agreed to undertake necessary highway improvements to the radii on Radium/Primrose Street to ensure that it is safe for use when the development is operational.

The pedestrian entrance to the development will be from Silk Street. In the interests of pedestrian safety, Silk Street will be made a 'one way' street in order to minimise the amount of traffic using this road. Silk Street is a narrow road and the footways are limited. As a consequence of making the road one way, the applicant has agreed to increase the width of the footway up to 2 metres to make the pedestrian environment safe. Highway Services consider that the pedestrian access would be safe through the amendments to the traffic flow.

Other alterations, which will be secured by planning condition, will include the creation of the new vehicular access from Radium Street and re-instatement and improvements to the footways around the application site. All of these improvements will be secured by planning condition.

The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

### **Designing out crime**

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

## **Ground conditions**

A ground conditions report has been provided which provides details on the existing conditions at the application site. Further details are required in respect of a risk assessment and remediation strategy.

Once agreed, the implementation of the remediation strategy should be confirmed through a verification report to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

## **Public opinion**

The comments received as part of this planning application centre around the scale of the building in this context.

A key requirement from new developments in the 'Anocats Core' is to respond positively to the key characteristics of the conservation area which include developments which reinstate built form to the historic grid pattern and are well detailed buildings corresponding to key design features of the older buildings in the area.

As detailed within this report, careful consideration has been given to the overall scale massing of the development in order to minimise any harm on the conservation area and nearby buildings such as Victoria Square. The massing of the development is represented by the 8 storey element of the development. The setting back of the 9<sup>th</sup> floor means the upper level of the building will largely be imperceptible particularly at street level.

It is noted that there will be some localised impacts on amenity as a result of the scale of the building, particularly on some of the windows within Victoria Square and the upper floor residential accommodation of the Shamrock. However, these impacts are not considered to be unduly harmful or unusual for this context.

## **Construction management**

It is noted that works will take place in close proximity to residential properties. As such, comings and goings from the site are likely to be noticeable. However, it is not considered that the impacts associated with the development will be significant and will be short in duration and predictable.

A detailed construction management plan will be agreed as part of the conditions of the planning approval. This will include details of dust suppression measures, highways management plan and details of use of machinery.

Deliveries to the site will be via the existing road network. Once the final access position is agreed, it will be necessary to ensure appropriate wheel washing is put in place to prevent any dirt and debris along the road and beyond.



Limited information has been provided in terms of routing strategy, however, given the close proximity to Great Ancoats Street and Oldham Road, it is anticipated servicing vehicles will access the site from this road which should minimise any disruption along the local highway network.

There is unlikely to be any cumulative impact from the construction elements of the development. Whilst there is a large amount of activity in the local area, the close proximity to major roads such as Great Ancoats Street will ensure such activities should not have a detrimental impact on the surrounding area.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

### **Sustainability**

An energy and environmental standards statement demonstrates that the energy hierarchy has been applied and that low and zero carbon technologies would be used and would comply with part L (2010).

The overall energy performance would be satisfactory with an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development complies with the spirit of the Core Strategy with high quality building fabric and systems. The energy standards should be a condition of any approval.

### **Legal Agreement**

The proposal shall be subject to a legal agreement under section 106 of the Planning Act to ensure there is a mechanism to re-test the viability should there be a delay in the implementation of the planning permission and a covenant 'clawback' period should the homes be sold within the specified period as explained in the paragraph with the heading 'Affordable Housing'.

### **Conclusion**

The proposal would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of high quality housing. The development will remove a partially vacant poor quality site from the conservation area although it is acknowledged there will be the loss of a designated heritage asset in the demolition of the existing building on site which contributes to the significance of the area.

The site will be redeveloped for with a building which has been designed to the highest quality which will in turn have a positive contribution on the significance of the conservation area through its materiality, elevational treatment and the manner in which the proposed building addresses street frontages.

It is acknowledged that the scale of the development will result in some harm to the significance of the conservation area and the setting of the listed Victoria Square. This harm, however, is considered to be low level and outweighed by the public benefits that the scheme would deliver.

In addition, there will be some localised impacts on amenity to the adjacent properties at Victoria Square and the Shamrock public house in terms of daylight. However, such impacts are not considered unusual in this type of context.

The level of harm is considered to be less than substantial and is outweighed by the public benefits that would be delivered. Notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme thus meeting the requirements set out in paragraph 193 and 196 of the NPPF.

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

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

**Recommendation**      **MINDED TO APPROVE subject to the signing of a section 106 agreement which retains the development as a PRS scheme for a covenant period together with a review mechanism at a future date**

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the affordable housing and means of access.

The proposal is considered to be acceptable and therefore determined within a timely manner.

### **Reason for recommendation**

### **Conditions to be attached to the decision**

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

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

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

#### Drawings

BS-501, BS-500, BS-600, BS-402, BS-400, BS-901, BS-900, BS-108, BS-103, BS-102, BS-109, BS-100, BS-101 and BS-401 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018.

BS-099?

05004 Rev P01, 62731-106 and 75001 Rev P01 stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018

#### Supporting information

Design and access statement, air quality assessment, daylight and sun light assessment, ecology assessment, environmental standards and energy statement, planning statement, TV reception impact assessment, phase 1 desk study, tall buildings statement, statement of community involvement, noise impact assessment, tree survey, tree constraints plan, flood risk assessment and drainage strategy, heritage statement, transport assessment and interim travel plan stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018

Overland flow routing stamped as received by the City Council, as Local Planning Authority, on the 5 September 2018

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

3) 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).

4) No soft-strip, demolition or development groundworks shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the City Council, as Local Planning Authority. The WSI shall cover the following:

(a). A phased programme and methodology of investigation and recording to include:

- archaeological desk-based documentary study of the properties that occupied the site;
- Archaeological evaluation;
- open area excavation and recording informed by the evaluation

(b). A programme for post investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

(c). Deposition of the final report with the Greater Manchester Historic Environment Record.

(d). Dissemination of the results of the archaeological investigations commensurate with their significance.

(e) Provision for archive deposition of the report and records of the site investigation.

(f). Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

5) Notwithstanding the flood risk assessment and drainage strategy stamped as received by the City Council, as Local Planning Authority, on the 7 August 2018 and the overland flow routing (062731 003 P1) stamped as received by the City Council, as Local Planning Authority, on the 5 September 2018, (a) the development shall not commence until a scheme for the drainage of surface water for the development has

been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- 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 climate change in any part of a building;
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The phase shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

6) Notwithstanding the Phase 1 desk study stamped as received by the City Council, as Local Planning Authority, on the 7 August 2018, (a) before the development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Unexploded Ordnance Survey report;
- Site investigation and risk assessment report;
- Remediation strategy

One approved, the development shall then be carried out in accordance with the approved details.

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

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

Reason – There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

7) 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, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

Each phase of development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

8) Prior to the commencement of development, (a) a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

(b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part (a). The approved materials shall then be implemented as part of the development.

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

9) Prior to the first occupation of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include:

- Verification reporting providing photographic evidence of construction;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason – To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

10) (a) Prior to the first occupation of the residential element of this development, details of hard and soft landscaping treatments (including tree planting, street tree planting, boundary treatments and appropriate samples of materials) shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

11) The development hereby approved shall be carried out in accordance with the Environmental Standards and energy statement stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

12) Notwithstanding the noise and vibration report stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018, prior to the (a) first occupation of the residential element and (b) first use of the office accommodation, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. The approved scheme shall be implemented prior to the first occupation of the residential element and office accommodation and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

13) Notwithstanding the noise and vibration report stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018, (a) prior to the first occupation of the residential accommodation a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) Prior to the first occupation of the residential element a post construction survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures agreed thereafter shall be retained and maintained in situ.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

14) The development hereby approved shall be carried out in accordance with site waste management strategy with the design and access statement and drawing BS-099 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018. The details shall be implemented prior to the first occupation of both the residential and commercial elements of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

15) Prior to the first occupation of residential element of the development, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the residential element and thereafter retained and maintained in situ.

Reason – To ensure appropriate fume extraction is provided for the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

16) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for each phase shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme for each phase shall be implemented in full prior to the first use of the residential element within each phase of development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

17) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be



submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

18) When the development is first occupied, deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

Reason – In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

19) Prior to the first use of the office accommodation details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for the office accommodation and shall thereafter be retained and maintained.

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.

20) Prior to the first use of the communal roof terrace and ground floor terrace cut outs, the opening hours for the terraces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The roof terraces shall then operate in accordance with the approved hours.

Reason – In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

21) Prior to the first use of the residential element building of the development hereby approved, a robust management plan for the letting of the residential accommodation shall be submitted for approval in writing to the City Council, as Local Planning Authority. The approved management plan shall be implemented from the first occupation 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.

22) The development of each phase shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

23) The development shall be carried out in accordance with the interim travel plan stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018

In this condition a Travel Plan means a document which includes:

- i. the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii. a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii. mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. measures for the delivery of specified travel plan services
- v. measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first occupation of the building within each phase, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

24) Prior to the first occupation of the residential building element, the provision of 100 cycle spaces, as indicated on drawing BS-099 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018 shall be implemented prior to the first occupation of the residential element of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

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

25) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing BS-099 stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason – To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

26) Prior to the first use of the residential element within the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Footway improvement and reinstatement works around the perimeter of the application site including provision of street trees. These footway improvements shall include details of materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building/public realm;
- Improvements to the junction radii at Radium Street/Primrose Street as indicated on drawing 75001-P01 stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018
- Creation of vehicular entrance off Radium Street.
- Making Silk Street 'one-way' including alterations to footway in front of the application site by increasing its width to 2 metres as indicated on drawing 05004 P01 stamped as received by the City Council, as Local Planning Authority, on the 19 December 2018

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and in accordance with the New Cross Public Realm Strategy.

27) Notwithstanding the TV reception survey stamped as received by the City Council, as Local Planning Authority, on the 3 August 2018, within one month of the practical completion of each phase 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.

28) Within 6 months of the residential element of the development hereby approved being first occupied, details of a car parking review detailing the demands/uptake of car parking at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This review shall set out the demands for car parking at the development including a strategy for the provision of further off site car parking should this been deemed necessary.

In the event of a strategy is approved for the implementation of additional off site car parking, this strategy shall be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason – To ensure an adequate supply of car parking at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

29) Prior to the first occupation of the residential element of the development hereby approved, details of the provision to promote car hire scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of each phase of the residential element of the scheme and thereafter retained and maintained in situ.

Reason – to promote sustainable travel options and choice at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

30) Prior to the first occupation of the residential element hereby the 5 electric car charging points. As indicated in the transport statement and planning statement stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018 shall be implemented, made available and thereafter retained for as long as the development is in place.

Reason – In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

31) Prior to the first occupation of the residential element of the development, a servicing strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of the development and remain in place for as long as the development remains in use.

Reason – In the interest of highway and pedestrian safety pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

## Informatives

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

## **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: 120893/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

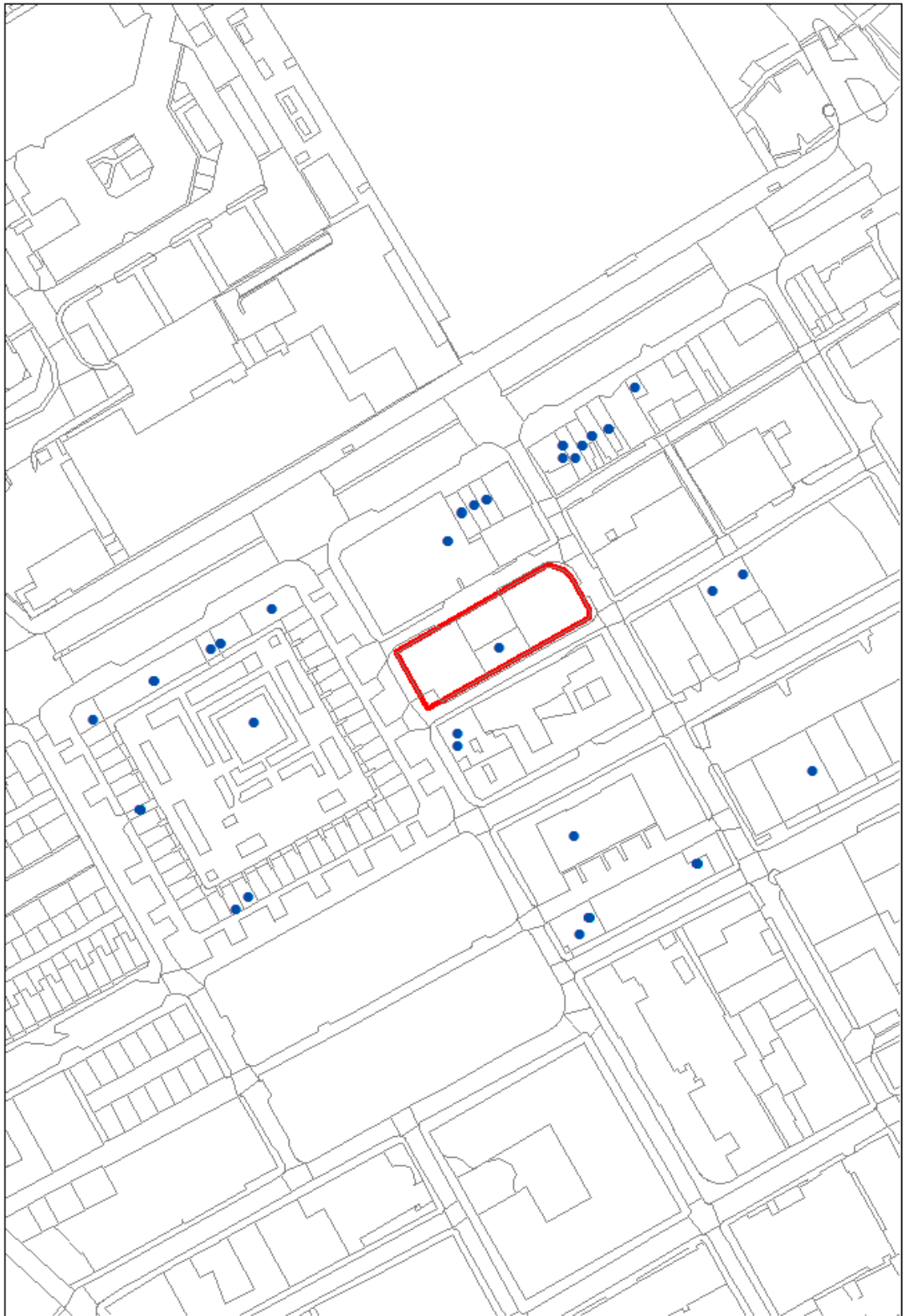
## **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Highway Services  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
Strategic Development Team  
MCC Flood Risk Management  
Greater Manchester Police  
Historic England (North West)  
Environment Agency  
Transport For Greater Manchester  
Greater Manchester Archaeological Advisory Service  
National Amenity Societies  
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 :** Jennifer Atkinson  
**Telephone number :** 0161 234 4517  
**Email :** j.atkinson@manchester.gov.uk



 Application site boundary  Neighbour notification  
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