

| <b>Application Number</b> | <b>Date of Appln</b>      | <b>Committee Date</b>      | <b>Ward</b>     |
|---------------------------|---------------------------|----------------------------|-----------------|
| 120149/FO/2018            | 11 <sup>th</sup> Jun 2018 | 20 <sup>th</sup> Sept 2018 | Piccadilly Ward |

**Proposal** Erection of 7 to 8 storey residential building (Class C3) to provide 41 apartments ( 7 x 1-bedroom 1-person apartments, 6 x 1-bedroom 2-person apartments, 6 x 2-bedroom 3-person apartments, 22 x 2-bedroom 4-person apartments) with associated landscaping and other works.

**Location** Car Park Between 57 And 59 Ducie Street, Manchester, M1 2JQ

**Applicant** Mr Mike McManus , Rain City Developments (Ducie Street) Limited, The Mill House, 6 Worsley Road, Manchester, M28 2NL,

**Agent** Miss Ellie Philcox, Euan Kellie Property Solutions, Landmark House, Station Road, SK8 7BS

### **Site Description and Context**

This 0.06 ha site is bounded by Ducie Street, Lomax Street, Brock Street and 65-67 Ducie Street, a 2 storey building with single storey extension. It is used as a 31 space surface level car park which contains a small ticket kiosk and the site abuts a brick and blockwork wall forming part of 65-67 Ducie Street. To the west is an unrelated surface car park. The area contains residential, aparthotels, purpose built retail complexes, surface car parks and some light industrial uses. Nearby residential developments include Vantage Quay, Jackson's Warehouse. Jutland House and Junction Works.

On the opposite side of Lomax Street, is an Aparthotel, whose main entrance is on Laystall Street. This building is serviced from Brock Street. To the south of Ducie Street is Presbar Diecasting and Stocktons furniture store.

There are Grade II listed buildings at 32-34 Laystall Street to the northwest and the former Junction Works and Stable to the southwest. Other nearby listed buildings include Brownsfield Mill (Grade II\*), Jackson's Warehouse, Dale Warehouse, Rochdale Canal Locks 83 and 84 and London Warehouse Wharf all Grade II.

The site is close to Piccadilly Station, the Northern Quarter, Ancoats Urban Village and New Islington and is within the Manchester Piccadilly Strategic Area Framework (SRF) 2018. It is adjacent to the area within Rochdale Canal Basin, known as Piccadilly Basin, which has been a regeneration priority for 20 years. An updated SRF was adopted in 2016. It aims to deliver a vibrant mixed-use neighbourhood, including office, residential, retail, and leisure accommodation.

A 9 storey, 137 bed hotel is under construction on land between Ducie Street and the Rochdale Canal, adjacent to the site (ref no 114818/FO/2016). In January 2018 permission was granted for 2 linked buildings of 8 and 10 storeys of 128 apartments (Use Class C3) (application ref no 115178/FO/2017). An 11 storey apartment block

of 91 apartments is under construction on land Bounded by Tariff Street / Jacksons Warehouse and Rochdale Canal (app ref no 106021).

Building heights vary in the area. The aparthotel on Laystall Street is part 6 and part 12 storeys, with consent in place for a 2 storey extension. To the rear of that site on Ducie Street are buildings of more domestic scale at 2 to 3 storeys. The listed buildings within the area tend to range between 4 and 5 storeys although Brownsfield Mill on Great Ancoats Street is 5 to 7 storeys, The Place on Ducie Street is 8 storeys and the rear of Fourways House at 57 Dale Street is 9 storeys. Many of the listed buildings such as Jackson's Warehouse, Brownsfield Mill and The Place typically have larger floor to ceiling heights than modern residential schemes.

The site falls within Flood Risk Zone 1 and is at low risk of flooding from rivers or sea. The site is also designated as a critical drainage area

### **Description of Proposals**

The application is for the erection of a part 7/part 8 storey building of 41 apartments (Class C3) with seven 1-bedroom 1-person, six 1-bedroom 2-person, six 2-bedroom 3-person and twenty two 2-bedroom 4-person apartments. It is intended that the development would be delivered as a Private Rented Sector (PRS) accommodation model (2,645m<sup>2</sup> GEA C3 use)

The ground floor would be accessed from Lomax Street and include a secure lobby, plant, refuse store, 48 cycle spaces and 1 disabled parking space. A communal terrace above the 7-storey element would include a green roof. Trees would be planted in the footway on Lomax Street, if below ground services allow. PV Panels are proposed on the roof. Refuse collection, servicing and access to the secure cycle parking would be from Lomax Street.

The building would be 8 storeys on Ducie Street and 7 on Lomax Street Max (73.85m). A number of the apartments on Ducie Street and Brook Street would have recessed balconies and those on Lomax Street / Brook Street would have clip on and Juliet balconies. The apartments on the 8<sup>th</sup> floor would have private roof terraces facing towards Lomax Street.

The façades would be expressed as a structural grid with regular bays and openings that would vary in size and type on each facade. The principle material would be a buff / grey brick with a natural colour mortar. Recessed and decorative brick features and contrasting brick patterns would provide a high degree of modelling to the main facades and some visual relief and articulation on the boundary fronting adjacent development sites. Further articulation would be achieved through the use of bronze coloured curtain walling and cladding, bronze framed glazing and balconies and perforated bronze panels. Recessed balconies and 200mm deep reveals would provide depth and contrast creating in a highly modelled appearance.

The applicants have confirmed that all plant would be accommodated within the building envelope within the dedicated internal plant room area with none required at roof level.

Waste would be split into the following bins and would be collected weekly:

Blue - Pulpable material (recycled) - paper, cardboard, tetrapak etc - 2 x eurobins  
Brown - Co-mingled material (recycled) - glass, cans, tins, plastic etc – 2 x eurobins  
Green - Organic waste (recycled) - food stuffs etc - 3 x 240l bins  
Black General waste (non-recycled) - all non-recyclable 4 x eurobins

The total number of bins has been calculated from City Council document 'GD04 Waste Storage and Collection Guidance for New Developments V2.00 -0 Citywide Support - Environmental Protection (September 2014).

Vehicular access to the building entrance would be from Lomax Street via Great Ancoats Street with exit onto Great Ancoats Street via Laystall Street.

In support of the application the applicants have stated that the following range of benefits would be provided by the development:

- The application proposal presents an opportunity to deliver high quality residential apartments in a highly sustainable location within Manchester City Centre;
- Animation and passive surveillance would be created at street level;
- The applicant will be employing a reputable and experienced residential management company to oversee and manage the development on a day-to-day basis. This will ensure that the building is maintained to a high standard and that there is appropriate management of matters such as refuse collections and any deliveries;
- The high quality residential units would be consistent with the standards as set out within the Manchester Residential Quality Guidance;
- The scheme has been designed in a sensitive manner so as not to restrict or compromise the future development of neighbouring sites;
- The proposal responds positively to the objectives of the Residential Growth Strategy, the Strategic Plan for Manchester City Centre and the Manchester Piccadilly SRF.
- The development is in a highly accessible location with an exceptionally high level of public transport provision nearby. A wide range of amenities are available within walking and cycling distance.

This planning application has been supported by the following information:

- i. Planning Application Form and Certificates.
- ii. Existing and Proposed Plans and Elevations prepared by Tim Groom Architects.
- iii. Design & Access Statement, including Waste Management Plan, prepared by Tim Groom Architects.
- iv. Planning Statement prepared by Euan Kellie Property Solutions.
- v. Heritage Statement, including Desk Based Archaeological Assessment prepared by Kathryn Sather & Associates.
- vi. Transport Assessment prepared by SKTP.
- vii. Framework Travel Plan prepared by SKTP.
- viii. Preliminary Ecology Assessment prepared by Urban Green.

- ix. Air Quality Assessment prepared by Merebrook Idom.
- x. Flood Risk Assessment and Drainage Strategy prepared by Renaissance.
- xi. Phase 1 Ground Investigation Assessment prepared by Renaissance.
- xii. Noise Assessment prepared by Hann Tucker.
- xiii. Crime Impact Statement prepared by Greater Manchester Police.
- xiv. Energy Statement and Environmental Standards Statement prepared by Zerum.
- xv. Ventilation Strategy prepared by Zerum.
- xvi. Daylight and Sunlight Assessment prepared by Gray Scanlan Hill.
- xvii. TV Reception Survey undertaken by Astbury
- xviii. Financial Viability Assessment prepared by Tim Claxton Property (submitted separately in commercial confidence).
- xix. Feasibility Statement prepared by Rain City (Ducie Street) Limited (submitted separately in commercial confidence)

## **CONSULTATIONS**

Publicity – The occupiers of adjacent premises were notified, the development was advertised in the local press as a major development and site notices were placed adjacent to the site. 2 representations and a 4 person signature petition (including the author of the original representation) has been received from local businesses concerning highway safety with a request that traffic should only be allowed to enter Ducie Street from Great Ancoats Street.

Concerns have been expressed that residents parking on street could impact on delivery access and egress to adjacent businesses and has suggested that a loading bay should be installed on Ducie Street. The petition specifically requests the provision of a loading bay on Ducie Street as part of the proposals. It notes that some nearby streets have loading bays for businesses and argues that this sets a precedent for provision on this part of Ducie Street.

Concerns have also been raised about the potential impact of the balconies on the Gable end facing towards Piccadilly Station on the deliverability of development on adjacent sites. This relates to the distances between sites and the fact that when considered in the context of adjacent site boundaries, the separating distance that would result from the inclusion of these (notwithstanding the existing precedent for buildings facing each other with closer than normal separating distances within a Centre environment) be unacceptable.

The Head of Neighbourhood Services (Highway Services) – Has no objections subject to a number of conditions. Advice about Traffic Regulations orders and agreements that would be required to facilitate the development have been passed to the applicant.

The use of a private waste collection firm is acceptable subject to agreement of a service management plan which should be secured through a condition, which also requires consultation with neighbouring properties.

It is not considered necessary to provide an on-street loading bay on Ducie Street as

- This development would be unlikely to produce a significant increase in traffic flow/ loading requirements on Ducie Street; as vehicular activity would be on Lomax Street;
- The existing restrictions on Ducie Street allow the servicing needs of the limited number of businesses to take place from the highway;
- The development is likely to have a negligible impact in terms of traffic and parking accumulation and therefore the existing controls on street do not require amendment;
- At present a number of Pay and Display bays on the eastern carriageway edge are not used at maximum capacity. The concerns expressed by business-owners are existing issues which are unlikely to be exacerbated by the addition of 41 apartments;
- The existing double yellow lines permit loading to the western side of the carriageway to facilitate servicing for businesses along Ducie Street which Highways believe to be sufficient in this location;
- Bin stores front onto Lomax Street;
- The proposals are for apartments and the servicing demands does not raise concerns. Deliveries are likely to be infrequent with once-weekly refuse collection. This minimal demand can take place from the kerbside on Lomax Street with no significant highway impact. It is recommended that servicing arrangements are managed in conjunction with neighbours to effectively manage the network.

Based on the above factors, the proposed development and its proposed servicing strategy present no highways concerns in terms of road safety or network capacity and therefore the installation of a loading bay is not considered necessary.

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

**Head of Regulatory and Enforcement Services (Contaminated Land)** - Has no objection subject to a condition requiring a full site investigation to be carried out in respect of contaminated land and the need for appropriate remedial measures.

**Greater Manchester Ecology Unit** – Have no objections

**Head of Growth and Neighbourhood Services (Travel Change Team City Policy)**  
- No comments received.

**Greater Manchester Archaeological Unit** – Have no objections but note that the Archaeology study identifies potential archaeological interest. This relates to several sets of early to mid-19<sup>th</sup> century buildings of different types and functions. The archaeological interest is of regional significance and whilst not worthy of preservation in situ, should be preserved by record through archaeological investigation. The remains should be evaluated through trial trenching, followed if appropriate by more detailed and open area excavation, to inform the understanding the archaeological potential and significance. A condition is recommended.

**Environment Agency** - Have no objections but have recommended conditions to mitigate the risks to adjacent ground and controlled waters and have recommended that guidance set out within their document 'Guiding Principles for Land Contamination' is followed.

**Greater Manchester Police (Design for Security)** – No comments received.

**Transport for Greater Manchester** – No comments received.

**United Utilities** - Have no objection but have made comments in relation to drainage and water supply, which have been passed to the applicant, and have recommended that specific conditions are included to ensure that no surface water is discharged either directly or indirectly to the combined sewer network and that the site must be drained on a separate system, with only foul drainage connected into the foul sewer.

**Flood Risk Management Team** – Note that the applicant has prepared a drainage statement in support of their planning application. They recommend that conditions should be attached to any consent granted to ensure surface water drainage works are implemented in accordance with Suds National Standards and to verify the achievement of these objectives

## **ISSUES**

### Local Development Framework

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

The proposals are considered to be consistent with the following Core Strategy Policies SP1, CC3, H1, H8, CC2, CC5, CC6, CC7, CC8, CC9, CC10, T1, T2, EN1, EN2, EN3, EN4, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, EC1, EC2, DM1 and PA1 for the reasons set out below.

### **Saved UDP Policies**

Whilst the Core Strategy has now been adopted, some UDP policies have been saved. The proposal is considered to be consistent with the following saved UDP policies DC19.1, DC20 and DC26 for the reasons set out below.

Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of its policies:

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 to the economic performance of the City and seeks to spread the benefits of growth to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities. The scheme would provide new jobs during construction and would provide housing near to employment sources.

SO3 Housing - supports a significant increase in housing at sustainable locations throughout the City, to address demographic need and support economic growth. Manchester's population grew by 20% between 2001 and 2011 which demonstrates the attraction of the city and the strength of its economy. The economic growth requires the provision of housing for prospective workers in attractive places so that they can contribute positively to the economy.

SO5. Transport - seeks to improve physical connectivity through sustainable transport networks, to enhance the functioning and competitiveness of the city 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.

SO6. Environment - the development would help to protect and enhance 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.

### **Relevant National Policy**

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

"For decision- taking this means: approving development proposals that accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date

development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

The proposed development is considered to be consistent with sections 5, 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons outlined below.

Section 6 - Building a strong and competitive economy and Core Strategy Policy SP 1 (Spatial Principles), Policy CC1 (Primary Economic Development Focus) and CC8 (Change and Renewal) – The Manchester Piccadilly SRF identifies a strategic opportunity to support and deliver important economic and policy objectives in Manchester, Greater Manchester and nationally. The development would be highly sustainable and would deliver city living. It would be close to sustainable transport, maximise the use of the City's transport infrastructure and would enhance the built environment, create a well-designed place and reduce the need to travel.

The proposal would develop an underutilised, previously developed site and create employment during construction and therefore assist economic growth. It would complement the wider areas well established community, enhance the built and natural environment and help to create a neighbourhood where people would choose to live.

NPPF Section 7 Ensuring the Vitality of Town Centres and Core Strategy Policies SP 1 (Spatial Principles) and CC2 (Retail) – A spatial principle is that the Regional Centre will be the focus for economic and commercial development, leisure and cultural activity, alongside city living. The proposal fully accords with this aim by helping to create a neighbourhood which would attract and retain a diverse labour market. It would support GM's growth objectives by delivering housing to meet the demands of a growing economy and population, within a major employment centre in a well-connected location and would help to promote sustained economic growth.

NPPF Section 9 Promoting Sustainable Transport, Core Strategy Policies CC5 (Transport), T1 Sustainable Transport and T2 Accessible Areas of Opportunity and Need - The location is highly sustainable and would give people choice about how they travel and contribute to sustainability and health objectives. The area is close to Piccadilly Station with connections to the airport and beyond and Metroshuttle routes. A Travel Plan would facilitate the use of public transport and its City Centre location would minimise journey lengths for employment, shopping, leisure, education and other activities. The proposal would help to connect residents to jobs, local facilities and open space. It should encourage modal shift away from car travel to more sustainable alternatives. The development would help to improve the pedestrian environment by providing natural surveillance.

NPPF Section 5 (Delivering a sufficient supply of homes) and 11 (Making Effective Use of Land), Core Strategy Policies CC3 Housing, CC7 (Mixed Use Development), Policy H1 (Overall Housing Provision), H2 (Strategic Housing Location), Policy H8 (Affordable Housing) and Policy CC10 A Place of Everyone - The proposal would provide an efficient, high-density development in a sustainable location within part of the City Centre specifically identified within the Core Strategy as a key location for residential development. It would make effective and efficient use of land in meeting

the need for homes. The apartments would appeal to a wide range of people from single people and young families to older singles and couples.

Significant investment in housing is required in locations that would support and sustain Manchester's growing economy. The City Centre is the biggest source of jobs in the region and this proposal would provide accommodation to support the growing economy and contribute to the creation of a sustainable, inclusive, mixed and vibrant community.

It is expected that a minimum of 25,000 new homes will be provided within the City Centre from 2016-2025 and this scheme would contribute to meeting the City Centre housing target in the Core Strategy.

The proposal is for a dense residential scheme within an area identified for housing growth. This is a previously developed site and the proposal would contribute towards the ambition that 90% of new housing should be on brownfield sites. It would have a positive impact on the built environment of the area and would provide a range of accommodation which would meet different household needs.

A Viability Appraisal has been submitted which sets out how the proposal would contribute towards the provision of affordable housing within the city. The appraisal demonstrates that the scheme is viable and capable of being delivered and concludes that it could provide a financial contribution in the form of a commuted sum towards affordable housing. This is discussed in more detail below.

NPPF Sections 11 (Making Effective Use of Land), 12 (Achieving Well Designed Places), and 16 (Conserving and Enhancing the Historic Environment), Core Strategy Policies EN1 (Design Principles and Strategic Character Areas), EN2 (Tall Buildings), CC6 (City Centre High Density Development), CC9 (Design and Heritage), EN3 (Heritage) and saved UDP Policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) - The proposal would maximise the use of the site and would be appropriate to its context. The building would be classified as tall in its immediate context but would be of a high quality and would raise the standard of design in the area. It would be appropriately located within the site, contribute positively to place making and wayfinding and would bring significant regeneration benefits. The design would respond positively at street level. The scale and density would be significant in relation to some of its immediate neighbours but it would use the site efficiently and would be in keeping with the higher density of development envisaged in the HS2 Piccadilly SRF. Further justification for the proposed scale and massing and the positive aspects of the design are discussed below.

The application submission includes a Heritage Appraisal, Visual Impact Assessment and Planning Statement that includes a Justification Statement in relation to policies within the NPPF. These demonstrate that the proposals would not result in any significant harm to the setting of surrounding listed buildings and would have a beneficial impact on the visual appearance of the surrounding area, thus ensuring compliance with local and national policies relating to Heritage Assets. It is also noted that the quality and design of the building would sustain the heritage value of the identified heritage assets.

In terms of the NPPF the following should also be noted:

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

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

- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Section 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Section 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 proposal would develop a surface level car park whose open nature has a negative impact on the setting of nearby heritage assets and introduces a good quality building that would make a positive contribution to the townscape and enhance the setting of those heritage assets.

The compliance of the proposals with the above sections of the NPPF and consideration of the comments made by Historic England is fully addressed in the report below.

Section 8 Promoting healthy and safe communities - The creation of some active street frontage would help to integrate the site into the locality and increase levels of natural surveillance.

Saved UDP Policy DC20 (Archaeology) – There are likely to be archaeological remains on the site which may be of regional significance about which a proper record should be made.

NPPF Section 14 (Meeting the challenge of climate change, flooding and coastal change), Core Strategy Policies EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon) EN6 (Target Framework for CO2 reductions from low or zero carbon energy supplies), EN 8 (Adaptation to Climate Change), EN14 (Flood Risk) and DM1 (Development Management- Bream requirements) -The site is highly sustainable. An Energy Statement sets out how the development would accord with principles that promote energy efficient buildings, integrating sustainable technologies from conception, through feasibility, design and build stages and in operation. The proposal would follow the principles of the Energy Hierarchy to reduce CO2 emissions and would meet the requirements of the target framework for CO2 reductions from low or zero carbon energy supplies.

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. In addition the NPPF indicates that development should not increase flood risk elsewhere.

The surface water drainage from the proposal would be managed to restrict the surface water to greenfield run-off rate if practical, and to reduce the post development run-off rates to 50% of the pre-development rates as a minimum.

The proposed drainage network would be designed to ensure that no flooding occurs for up to and including the 1 in 30-year storm event. Any localised flooding would be controlled for up to and including the 1 in 100-year storm event including 20% rainfall intensity increase.

The surface water management would be designed in accordance with the NPPG and DEFRA guidance in relation to SuDS

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy Policies EN 9 (Green Infrastructure), EN15 ( Biodiversity and Geological Conservation), EN 16 (Air Quality), Policy EN 17 (Water Quality) Policy EN 18 (Contaminated Land and Ground Stability) and EN19 (Waste) - Information submitted has considered the potential risk of various forms of pollution, including ground conditions, air and water quality, noise and vibration, waste and biodiversity and has demonstrated that the proposal would not have any significant adverse impacts. Surface water run-off and ground water contamination would be minimised

An Ecology Report concludes that there is no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by development. The Report concludes that the proposals would have no adverse effect on the SBI or any other statutory or non-statutory designated sites in the wider area.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the context of growth and development

objectives. The proposal should exploit opportunities to enhance G&BI and these are discussed in more detail below. There would be no adverse impacts on blue infrastructure.

The development would be consistent with the principles of waste hierarchy and a Waste Management Strategy details the measures that would be undertaken to minimise the production of waste both during construction and in operation. The Strategy states that coordination through the onsite management team would ensure the various waste streams throughout the development are appropriately managed.

DC22 Footpath Protection - The development would improve pedestrian routes within the local area through enhanced natural surveillance, planting (should this prove to be possible) and repaving.

Policy DM 1- Development Management - Outlines a range of general issues that all development should have regard to and of these, the following issues are of relevance to this proposal:-

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

The above issues are considered in detail in below.

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

### **Other Relevant City Council Policy Documents**

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposals would be consistent with these principles and standards.

Manchester Residential Quality Guidance (July 2016) (MRQG) – The City Council's has endorsed the Manchester Residential Quality Guidance which is now a material

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

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

The purpose of the Masterplan is to set out a framework to ensure that the City is able to capitalise on the development opportunities presented by the arrival of HS2 and resulting expansion of Piccadilly Station which could transform the eastern fringes of the City Centre. Developments within this area will support the next phase of growth in Manchester and enhance the City's productivity. The Masterplan aims to ensure that HS2 is a catalyst for the creation of a high quality urban neighbourhood containing retail, leisure, commercial and residential uses with high quality public open space. This would contribute positively to the delivery of strategic regeneration objectives and improve connectivity between the City Centre and communities to the east including between New Islington to the north of the site.

Proposals for the area are set out within the context of spatial, policy and economic objectives and advocate the creation of a new city district with diverse neighbourhoods and greater connectivity. It is envisaged that the area around the application site would include apartments, townhouses, smaller office floor plates, retail, cafes and bars. The Masterplan suggests a densely developed area with anticipated building heights of maximum 8-12 storey and at between 7 and 8 storeys and the development is considered to be consistent with those parameters.

Piccadilly Basin Masterplan and SRF (2016) – Piccadilly Basin is a major strategic opportunity which could deliver comprehensive development. The Basin lies between the city centre's well established districts including the Central Business District and retail core; Piccadilly; The Northern Quarter; Ancoats and New Islington and further east towards Holt Town and Ethiad. These are established regeneration priorities that aim to deliver complementary economic growth. Connecting these areas through Piccadilly Basin and into the heart of the city centre will maximise the value of investment and development taking place in this part of the city.

The Framework contains a series of important principles to guide the delivery of the vision for the area covered by the SRF. The application site lies close to the boundary of the Piccadilly Basin SRF and as such needs to be considered in terms of the context of some of the key principles set out within the Framework

It is considered that the proposed development would complement the following SRF principles.

- Re-instating and re-asserting much of the historic grid pattern of the area will create a sense of place.

- Alignment of new building blocks along existing streets at back of pavement line would enhance the linear character of the streetscape.
- The massing is varied and the colour and texture of the materials would create an appropriate and attractive building.
- The natural surveillance created should contribute to a sense of place and encourage movement through the area.

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

#### 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.

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

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

The proposed development would be complementary to the realisation of the opportunities set out above. It would enhance the sense of place that previous phases of development within the adjacent Piccadilly Basin have begun to establish whilst strengthening physical and visual links between the City Centre and key regeneration areas beyond.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population.

Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place. The proposed development would contribute to achieving the above targets and growth priorities.

Stronger Together: Greater Manchester Strategy 2013 - This is the sustainable community strategy for the Greater Manchester City Region. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life.

The proposed residential development of the application site would support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population and to address undersupply and the Council is adopting measures to enable this. The proposals represent an opportunity to address these requirements adjacent to a major employment centre and in a well-connected location.

## **Other National Planning Legislation**

### **Legislative requirements**

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

S149 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.

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

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

The Town and Country Planning (Environmental Impact Assessment) Regulations

2017 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken. Whilst the nature of the proposal is of a magnitude which would not fall within the definition of the thresholds set for “Urban Development Projects” within Schedule 2 given that the proposals fall within an area where there are currently a number of major development projects approved and under construction and that it sits within the wider Piccadilly HS2 Masterplan Area the City Council has adopted a screening opinion in respect of this matter including cumulative impacts to determine if this level of assessment was necessary and to determine whether the proposed development was likely to give rise to significant environmental effects.

It was concluded that there will not be significant environmental impacts associated with the proposed development, subject to suitable mitigation, and therefore an Environmental Statement is not required.

**The Schemes Contribution to Regeneration and Housing Delivery** – The City Centre is the primary economic driver of the region and crucial to its economic success and therefore its regeneration is a key consideration. The Piccadilly HS2 Masterplan aims to ensure that the City can capture the development opportunities that HS2 presents and the potential to extend the regeneration of the City eastwards beyond the ring road. There is a direct link between economic growth, regeneration and the provision of housing and new homes are required to fuel and complement economic growth.

The regeneration of Piccadilly Basin has been a long term strategic objective, to create a high quality neighbourhood containing commercial, residential, retail and leisure uses with high quality public open space. The proposals would complement and build on the benefits of regeneration already delivered in this adjacent neighbourhood.

The northern fringe of the City Centre has a crucial role to play in providing the new homes and commercial space required to support population and economic growth. The delivery of the HS2 Masterplan, alongside planned and approved developments at Piccadilly Basin and the Northern Quarter, should help to physically and functionally connect Ancoats and New Islington to the City Centre.

Manchester population has increased by 19% since 2001. This scheme would be consistent with a number of the GM Strategy's growth priorities, including Manchester's Residential Growth Strategy (2016) which sets a target of building 25,000 new homes up until 2025. This area has been identified as being suitable for new residential development and the quality, mix and the size of apartments would appeal to a range of occupiers and meet the demands of the growing economy and population.

The development of this previously developed site would be consistent with the objectives of the SRF and would complement existing and proposed residential uses and commercial uses within the Piccadilly Basin, Northern Quarter, Ancoats and New Islington Area. It would create employment during construction and from the management of the homes. It would be located close to a major transport hub with

exceptional connections. Given the above the proposals would help to promote sustainable economic growth.

The site has a negative impact on the street scene with its open nature creating a poor appearance and fragmenting the historic built form. This low quality environment creates a poor impression of the City Centre particularly for those travelling to the North and the Etihad Campus. This proposal would repair key street-frontages, reinstate the historic building line and positively respond to its context and the area's heritage. It would help to establish a sense of place and would complement the high quality streetscape that is being brought forward as part of the delivery of developments being delivered within the context of the 2016 Piccadilly Basin SRF.

**Viability and affordable housing provision** - 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 a specific regeneration objective.

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, where a financial viability assessment is conducted which demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The application proposes 41 new homes for rent through a PRS model. The delivery of new homes and the regeneration of the HS2 Masterplan area is a priority for the council. The proposal would develop a brownfield site that makes little contribution to the area and 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.

The applicant has provided a viability report which states that the development cannot support the full level of affordable housing contribution. The viability report has been tested by the Council and it has been agreed that it would not be possible for the development to make the full financial contribution towards offsite affordable housing without undermining viability.

The conclusions of the viability report (as agreed with the Council) demonstrate that the development would support a financial contribution equivalent to the provision of just under 5% affordable housing. This represents what is a viable in order to ensure that the scheme is not only delivered but is done so to the highest standard. The contribution will be secured via a legal agreement which will include a provision for a reconciliation once actual build costs have been determined which will require a further contribution to be paid if values change at this point.

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

The density is considered to be acceptable and all apartments would comply with the spaces standards set out in the Residential Quality Guidance and National Space Standards. The Residential Quality Guidance highlights the importance of building homes which meet a diverse range of needs including city centre family living. The quality, mix and size of the apartments would appeal to a range of occupiers. They would be attractive to single people and those wanting to share and the 2 bedroom apartments, suitable for 3 and 4 people, could be attractive to families and older people who are downsizing. There would be some support accommodation for the tenants at the ground floor on Ducie Street including storage space for deliveries.

A condition is recommended that requires details of a management strategy and lettings policy to ensure that the development would contribute to the creation of an attractive neighbourhood. This would ensure that the development is well managed and maintained, providing confidence for those wishing to remain in the area long term.

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

One of the main issues to consider in assessing these proposals is whether the scale of the development is appropriate. The development at between 7 and 8 storeys is considered to be a tall building within some of its local context, although the HS2 Masterplan advocates higher density development in this area. As such, the proposal needs to be assessed against Core Strategy Policies relating to Tall Buildings and the criteria set out in the Guidance on Tall Buildings Document published by English Heritage and CABE. On 10 December 2015, Historic England published Tall Buildings: Historic England Advice Note 4, which represents an update to the CABE and English Heritage Guidance published in 2007, responding to the requirements of the National Planning Policy Framework and the marked 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 are addressed in the information submitted in support of the application.

| Key |                                |
|-----|--------------------------------|
| 01. | Existing Piccadilly Station    |
| 02. | HS2                            |
| 03. | Manchester Piccadilly SRF      |
| 04. | Piccadilly Central             |
| 05. | Portugal Street East SRF       |
| 06. | Mayfield SRF                   |
| 07. | North Campus SRF               |
| 08. | Aytoun Street SRF / Kampus     |
| 09. | Piccadilly Basin SRF           |
| 10. | Piccadilly North Neighbourhood |
| 11. | East Village Neighbourhood     |



### Design Issues and Relationship to context

This considers the design in relation to its context and its effect on key views, listed buildings, conservation areas, scheduled Ancient Monuments, Archaeology and open spaces. There are a number of designated heritage assets in close proximity to the site including the Grade II Listed Junction Works and stable, grade II listed 32-34 Laystall Street, the Grade II\* Listed Brownsfield Mill and the Rochdale Canal.

The area has changed significantly over time and a number of historic buildings and structures are now isolated from their original setting. The decline of industry has left

the area with many vacant plots which diminishes the street definition that would once have guided people towards Ancoats. This has eroded the character and appearance of the historic street pattern and the urban form now lacks cohesion. The current condition and appearance of this site harms the setting of adjacent listed buildings as well as the quality and character of the townscape.



An active frontage is proposed to both principle elevations. External balconies would face Ducie Street, with the building reception and entrance, communal and private terraces and public realm on Lomax Street. An entrance on Lomax Street should improve the use of this historic pedestrian route and enhance the areas permeability.

Two main factors have influenced the scale and massing. Firstly, a need to ensure that the development of adjacent plots would not be compromised. Secondly, a desire to help to visually connect the City Centre with Ancoats and New Islington. The site can be viewed from a considerable distance along Ducie Street yet the street lacks a point that people are drawn towards

The historic building line on Lomax Street and Ducie Street would be re-established. Ducie Street would have had larger frontages been on Ducie Street which would



have created a more horizontal proportion to the elevation. Lomax Street had more of a broken mass, with terraced housing in narrow plots. This has guided the design with each of the main street facing elevations having a different and distinct architectural language. Part of the central portion would be recessed creating a break in built form to reflect the historical street pattern which had an access court between the buildings. The proposals enable future development on adjoining sites to reinstate the street network that characterised the area historically. .

There are 2 and 3 storey industrial units nearby but more recent developments have been taller and up to 14 storeys. The 7 to 8 storeys proposed is within the 8 to 12

storey parameters set out in the HS2 Masterplan and reflects the scale and massing of many existing and approved buildings in the wider area.



The solidity of the building would be broken down by the use of varied materials, modelling, colour and textures. It would enhance the setting of the adjacent Heritage Assets and the height, scale, colour, form, massing and materials should make a positive contribution to the area.

It is inevitable that development on sites such as this could impact on amenity at existing properties. However, there are few permanent residents nearby and many sites are undeveloped and any impact on amenity should be within acceptable limits.

#### Impact on the setting of Listed Buildings.

The vacant condition and appearance of the site is negative and creates views that are artificially open and inappropriate and adversely affect the character of the adjacent listed buildings. Development should enhance the setting of adjacent heritage assets and the wider townscape.

The effect of the proposal on key views, listed buildings, archaeology and open spaces has been carefully considered. The surface level car park appears to be well used but has no heritage value, contributes little to the appearance of the area and makes no contribution to the townscape. The development presents an opportunity to enhance the setting of adjacent designated and non designated Heritage Assets and to introduce a building that would make a positive contribution to the wider townscape. There are no World Heritage Sites in the immediate vicinity.

Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect it. Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Of particular relevance to the consideration of this application are sections 193, 194 and 196.

A Heritage Impact Assessment (HIA), has assessed the likely visual impacts of the proposals upon the adjacent listed buildings (Junction Works and 32-34 Laystall Street).

32-34 Laystall Street is mainly viewed along Laystall Street from the north when its primary façade can be seen. The application site is the south and is almost entirely masked by the building. The rear of the proposal can be seen from along Brook Street, and would be part of the background to a view of the primary façade, when viewed from a specific location on Laystall Street. The rear elevation of the listed building can be seen from the site, and there is a long view along Lomax Street, that encompasses the rear of the listed building and the northern end of the proposal. The listed building is within a modern, urban landscape and the application site forms part of the setting of the building. However, the application site does not visually obscure key views of the building.

The Former Junction Works buildings are viewed from the north, along Ducie Street, from the west within the courtyard/car park of Paradise Wharf, and from the west, along a pedestrian pathway that leads to the Ashton Canal towpath. The application site does not form a part of any of the views of the building due to the bend in Ducie Street. The former Iron and Steel Warehouse is best experienced from the south, as the southern elevation retains the most historic architectural detail, and should be considered to be the primary facade. The structure can also be viewed from the north along Ducie Street, and from the east along Great Ancoats Street, but these views reveal the rear and side of the structure, which have been subject to alteration and hold little architectural interest. The application site does not form part of the views of the southern facade of this building.

The proposal would not physically or visually isolate the listed buildings, would not impact upon any of the key views and would therefore have little effect on the way in which they are experienced. The proposal would form part of a view to the rear of 32-34 Laystall Street, and would alter the setting so that it is noticeably changed. This would result in a minor change to the setting of the listed building of medium significance. However, the proposal would improve the character of the wider landscape and would have a slight beneficial impact upon the setting of the building.

The development would not impact upon any significant views of the listed former Junction Works. It would improve the character of the wider streetscape, restore the historic tight urban-grain and would have a slight beneficial impact upon their setting.

The scale and proportion of the proposal would relate well to the immediate townscape and emerging proposals within the wider area. Its height and mass would alter the skyline and create a new presence on Ducie Street. This impact would be positive and replace the negative impact of the surface level car park. The building would interact with Ducie Street improving kinetic views.

The NPPF stresses that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial

harm, total loss or less than substantial harm to its significance” (paragraph 193). Therefore, any perceived harm resulting from insensitive development within the setting of a designated heritage asset, should be avoided and at least require ‘*clear and convincing justification*’ (paragraph 194). In this instance no historic fabric would be lost, but there may be an impact on archaeological remains, of regional value. The proposal would only impact on the rear view of 32-34 Laystall Street and would have some impact within the wider setting of this building and Junction Works however these impacts would be beneficial (32-34 Laystall) and negligible (Junction Works) and it is considered that the overall impact on the setting of these Heritage Assets would be a slight beneficial impact.

It is necessary to have special regard to the desirability of preserving the setting of any affected Heritage Assets. As any harm is ‘less than substantial’, paragraph 196 of the NPPF requires that the impact of the development should be evaluated against the mitigation that would be provided from the wider public benefits of the scheme including securing its optimum viable use which can include heritage benefits. The scheme would enhance the setting of adjacent listed buildings and produce heritage benefits.

The public benefits of the proposal would include delivery new homes and meet an identified need for accommodation within the City Centre. It would create employment during construction and post completion through building management and improved wayfinding and place making. The proposal would enhance the urban form and pedestrian environment and the public and heritage benefits would outweigh any ‘less than substantial harm’ that would be caused.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the conservation area as required by virtue of S72 of the Listed Buildings Act, any harm caused by the proposed development would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 193 and 196 of the NPPF. In addition for the reasons set out above it is considered that the proposed development has been designed with regard to the sustaining and enhancing the significance adjacent heritage assets and would make a positive contribution to local character and distinctiveness and therefore meets with the requirements of paragraph 192 of the NPPF.

### Architectural Quality

The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures. The design aims to re-establish the concept of the three distinct blocks that previously occupied the site. The elevational treatment relates to the historic street pattern, with tighter, more repetitive treatment to Lomax Street reflecting the character of the back to back housing that once occupied the site. The creation of a small ‘courtyard’ area would separate the site from its neighbour, and relate to the historic use of courtyards. A more open frontage is proposed on Ducie Street where repeated elements created a strong vertical rhythm within larger scale façades.

The use of brickwork with natural mortar as the predominant external material would relate to the wider area and the use of patterned screens would reflect the areas historic links with the textile industry. Buff / grey brick would contrast with the predominant red brick that characterises the sites wider context whilst the bronze panels would complement that contextual red brick aesthetic. The repetitive form of the powder coated aluminium window surrounds fenestration and deep reveals would relate to the robust architectural form and quality of the historic buildings in the wider area.

The quality of the detail, including the corner interfaces, window recesses and interfaces between the different components are key to creating a successful development. The layering, detailing and highly modelled design should ensure that the building responds well to its context. The bronze coloured curtain walling, cladding, framed glazing, balconies and perforated panels and the quality, and variety of brick patterning and modelling, would add richness to the façades.

The principle construction would involve traditional weight bearing bricks. A condition requiring samples of materials and details of jointing and fixing details and a strategy for quality control would be attached to any permission granted. This should result in high quality building that would be appropriate to its context.

The proposal would not compromise the development of adjacent plots and the gable walls would include brick patterning and modelling, including blind windows, to ensure that there is some visual interest pending their development.

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

This development and the reinstatement of the Ducie Street frontages that the development of the Dakota Hotel and Eider House will deliver, would enhance connections from Piccadilly Station and the Basin helping to create a strong sense of place. Improvements to the pedestrian environment would improve legibility and improve linkages to adjacent areas. The scheme would provide passive security on Ducie Street and Lomax Street and improve safety and an enhanced sense of place.

#### Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the detailed design, procurement and construction process. The design team recognises the high profile nature of the proposal and the design response is appropriate for this prominent site.

The proposal has been prepared by a design team familiar with the issues associated with developing high quality buildings in city centre locations, with a track record and capability to deliver a project of the right quality.

A significant amount of time has been spent developing and costing the design to ensure that the submitted scheme can be delivered. It has been demonstrated that the development is viable and deliverable.

### Relationship to Public Transport Infrastructure (Parking, Servicing and Access, Green Travel Plan / Cycling including Disabled Parking provision)

This proximity of Piccadilly Rail Station and the tram network would encourage the use of sustainable forms of transport and should reduce reliance on the private car. The proximity to jobs and services mean that many residents would walk.

The provision of on-site parking is constrained by the characteristics of the site and the need to ensure that the scheme enhances vibrancy, creates street level activity and maximises passive surveillance. The provision of parking would greatly reduce the 'active' contribution which the development would make to surrounding streets.

The apartments would be marketed as a car-free and residents would receive travel packs with information about sustainable travel options. Should residents and current users of the surface car park require a parking space, they could be leased in local public car parks. There are 13 parking bays on Ducie Street within Parking Zone 4, with paid parking for ten hours and unlimited free parking for blue badge holders. There are 17 parking bays on Laystall Street including one EV space which are within Zone 2 with paid parking for two hours and unlimited free parking for blue badge holders. Lomax Street and Brock Street have double yellow lines.

232 off-street public parking spaces, including disabled and Electric Vehicle charging points, are available nearby at CitiPark on Tariff Street. Season tickets can be purchased and residents would be provided with details of public car park arrangements in the area. The City Car Club, a 'pay by the hour' rental scheme, giving city centre residents a convenient and cost effective alternative to car ownership is available nearby. There are 2 car club spaces on Tariff Street, 1 on China Lane and 1 will be provided as part of the Crusader Works scheme on Chapeltown Street.

A condition is recommended requiring that a Travel Plan be agreed prior to occupation with implementation to be monitored and revised, if necessary, within 6 months of occupation.

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

Given the above the proposal would not produce a significant increase in traffic flow/loading requirements on Ducie Street. The majority of vehicular activity would be to the bin stores and building reception on Lomax Street.

### Sustainability

Larger buildings should attain high standards of sustainability because of their high profile and impact. An Energy Statement (ES) has assessed the physical, social, economic and other environmental effects of the proposal and how it relates to sustainability objectives. The ES sets out the measures that could be incorporated

across the lifecycle of the development to ensure high levels of performance and long-term viability and ensure compliance with planning policy.

The Code for Sustainable Homes was revoked in March 2015 but it is important to understand how a development performs in respect of waste efficiency and energy standards. The development follows the energy hierarchy and would result in a reduction in CO2 emissions by at least 19% which would meet Code Level 4 for energy performance against the target rate set by Part L 2013.

Good design would minimise energy usage in accordance with the Energy hierarchy, improving the efficiency of the fabric and using passive servicing methods, including thermal performance and air tightness above Building Regulations requirements, before the application of energy reducing and then low carbon technologies.

Proposed features include

- Ventilation strategy- There would be openable windows and mechanical ventilation with heat recovery (MVHR) which would recover heat from air extracted from wet areas (bathrooms/kitchens) at approximately 90% efficiency. This would reduce space heating demand. The placement and size of windows would where possible encourage passive solar gain in winter but avoid overheating in the mid-seasons and summer.
- Lighting - Energy efficient lighting would reduce electrical demand.
- Hot Water - The hot water cylinder will be insulated to achieve low standing losses.
- Renewable Energy – The development incorporates Photovoltaic panels on the roof.

The proposal would deliver a scheme that is efficient and cost effective during occupation and accords with the adopted Core Strategy Policy EN 4, EN6 and the Supplementary Planning Document (SPD) criteria.

### **Effects on the Local Environment/ Amenity**

Sunlight and overshadowing, air quality, noise and vibration, construction, operations and TV reception, privacy and overlooking.

### **Daylight, Sunlight and Overshadowing**

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

An assessment of daylight, sunlight and overshadowing has been undertaken, using specialist computer software to measure the amount of daylight and sunlight that is available to windows in a number of neighbouring buildings. The assessment made reference to the BRE Guide to Good Practice – Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2011).

This type of assessment is not mandatory but is generally accepted as the industry standard and local planning authorities use it to assist consideration of these impacts. The guidance does not have 'set' targets and is intended to be interpreted flexibly. It acknowledges that there is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of natural light to buildings is sometimes inevitable.

The application site has largely been cleared for a number of years and as such, the buildings overlooking it i.e. Staycity Apartments (Laystall Street) and 65-67 Ducie Street have benefitted from conditions that are relatively unusual in a City Centre context. Therefore, the baseline situation against which the sunlight, daylight and overshadowing impacts would be measured i.e. an open site, would not be representative of a typical baseline situation within an urban environment and any development of a similar scale to the existing buildings in the vicinity of the site would inevitably have an impact. The Assessment assumes that the two-storey rooftop extension to the Staycity Aparthotel, approved in 2016 is built-out (ref. 112426/FO/2016). Whilst the rooms assessed within the Staycity aparthotel serve a residential function, they do so on commercial terms. The apartments within the Staycity Aparthotel are only available for hire on a short-term basis, therefore the occupants of the building will be transient. This therefore lessens the sensitivity of this neighbouring building. The impacts in relation to the current baseline situation (cleared site) are set out below.

The Lomax Street and Brock Street elevations of the Staycity Aparthotel would potentially be affected by the proposal.

### **Daylight Impacts**

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

Firstly, the guidance advises an assessment of how much Daylight can be received at the face of a window which is generally referred to as the Vertical Sky Component (or VSC). This measures the percentage of the sky that is visible from the centre of a window. The less sky that can be seen means that the daylight available would be less. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27%. However, in relation to higher density environments, within the guidelines if a window already receives less than 27% VSC, then a reduction in the existing value of up to 20% (i.e. 0.8 x) is considered to be acceptable on the basis that such a reduction is unlikely to be noticed by the room's occupants. Using these principles an alternative target of 21.6% VSC has been set for consideration.

An assessment known as 'No Sky Line' (NSL) measures daylight distribution and assesses how the light is cast into the room, and examines the parts of the room where there would be a direct sky view and the parts that would not have direct sky view. Daylight may be adversely affected if, after the development, the area in a room which can receive direct skylight is reduced to less than 0.8 times its former value as this would be noticeable to the occupants. However the BRE Guidance

states that this does not necessarily mean that the room served would be left inadequately lit but there is a greater chance that the reduction in daylight would be more apparent.

The Average Daylight Factor (ADF), assesses how much daylight comes into a room and its distribution within the room taking into account factors such as room size and layout and considerations include: the net glazed area of the window in question; the total area of the room surfaces (ceiling, walls, floor and windows); and the angle of visible sky reaching the window(s) in question. In addition, the ADF method makes allowance for the average reflectance of the internal surfaces of the room. The criteria for ADF is taken from the British Standard 8206 part II which gives the following targets based on the room use:

Bedroom – 1% ADF; Living room – 1.5% ADF; Kitchen – 2% ADF

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

A key factor to be considered in relation to the 2<sup>nd</sup> and 3<sup>rd</sup> tests is that these assess daylight levels within a whole room rather than just that reaching an individual window. The assessment submitted with this application has considered the VSC and NSL for daylight assessment.

The VSC level diminishes rapidly as building heights increase relative to the distance of separation. As such, the adoption of the 'standard target values' is not the norm in a city centre and the BRE Guide recognises that different targets may be appropriate. It acknowledges that if a building stands close to a common boundary, a higher degree of obstruction may be unavoidable. This is common in urban locations in particular. Therefore the adoption of the 'standard target values' is not the norm in a city centre. If the guidance were to be applied rigidly in city centres, very little development would be able to be built

The BRE Guide recognises that different targets may be appropriate depending on factors, such as location. It acknowledges that if a building stands close to a common boundary, a higher degree of obstruction may be unavoidable and is not unusual in urban locations. The application site has largely been cleared for a number of years. It is therefore necessary to determine what the reasonable expectation of residents should be in relation to daylight levels in those circumstances. The BRE Guide permits the setting of 'alternative' target values, the methodology for which is set out in Appendix F of the Guide. It suggests that alternative targets are derived by calculating the level of light that the window would achieve if obstructed by a hypothetical 'mirror-image' of the existing neighbouring building, an equal distance away from the boundary.

### Daylight

42/60 (70%) of rooms would be compliant for VSC daylight. A further 9 rooms (15%) have at least one window that will continue to achieve the alternative 21.6% VSC. 9 rooms (15%) that are served by windows that will not achieve the alternative 21.6% and/or experience a reduction in existing VSC of more than the 20% reduction. In line

with BRE principles, daylight levels in those 9 rooms may be adversely affected when assessed against the BRE guidance on VSC levels. This represents an 85% compliance.

For six of the nine rooms that will experience adverse VSC results, the distribution of sky light would not change materially. Five of the nine rooms would continue to receive sky light distribution to at least 80% of their area and one would receive direct daylight to 79% of its area.

With an alternative baseline mirror image VSC target of 6%, all 9 rooms would have at least 1 site facing window that would comply with the alternative target.

NSL, 56/60 (93%) of rooms would be compliant. These results are considered to be acceptable.

### **Sunlight Impacts**

The BRE Guide explains that sunlight tests should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. The BRE guide states that sunlight availability may be adversely affected if the centre of the window

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March;
- Receives less than 0.8 times its former sunlight hours during either period; and
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours (APSH)

As with daylight, a sunlight reduction of over 20% does not automatically mean that sunlight to that room would not be sufficient, but it would be more noticeable.

When assessed against the APSH (Sunlight criterion) 60 rooms (100%) would have full compliance with the target for summer and 59 rooms (98%) would comply with the winter target. The level within the non-compliant room would be 4% and this is a bedroom. These results are considered to be acceptable.

### **Overshadowing**

There are no open amenity spaces in the vicinity of the Development site that justify the need for a permanent shadowing and sunlight hour's appraisal

The impacts on the levels of daylight and sunlight at the Staycity Aparthotel is important. There is a high level of compliance with the BRE Guidance when assessed against the baseline of a cleared site. However, some impact is inevitable if the site is to be redeveloped to a scale appropriate to its City Centre location. The following matters are however important in the consideration of this matter:

- Buildings that overlook the site have experienced conditions that are relatively unusual in a City Centre context;
- The Staycity Aparthotel is only available for hire on a short-term basis, therefore the occupants will be transient which lessens its sensitivity.
- The application site is within the City Centre and is designated for high density development;and
- Reductions to the scale of the development could make it unviable.

It is considered that the above impacts have been tested and perform to an acceptable level against the BRE guidelines

### Air Quality

The applicant has undertaken an air quality assessment relating to construction and operational activities. Dust and particulate matter may be emitted into the atmosphere during construction but any impact is likely to be temporary, short term and of minor adverse significance and construction environmental management techniques can ensure that the effects are not significant. A Construction Management Plan condition would require contractors' vehicles to be cleaned and the access roads swept daily to limit the impact of dust and debris.

The site is located within an Air Quality Management Area (AQMA), which covers the whole of the City Centre, which could potentially exceed the annual nitrogen dioxide (NO<sub>2</sub>) air quality objective. The potential principal source of air quality effects would be from increased vehicle movements. The site is used as a surface car park and has access to all forms of public transport including tram, bus and rail and it is considered that it would be unlikely to significantly affect air quality for residents. The assessment explains that a period of monitoring is required to confirm baseline conditions and to identify the need for additional mitigation measures to protect residents. This could be secured through a condition.

The development would not result in any significant air quality issues subject to any mitigation identified following the baseline monitoring. The tree planting, external amenity spaces and green roofs should improve air quality.

### Noise and vibration

New housing would complement existing residential and commercial uses and would develop an underutilised site. It would improve the physical appearance of the area and create natural surveillance. There are no amenity issues that would impact on surrounding residential properties over and above those expected in the city centre.

The impact of adjacent noise sources on occupiers needs to be considered and a Noise Report concludes that the internal noise levels can be set at an acceptable level with appropriate acoustic design and mitigation, The level of noise and any mitigation measures required in relation to the operation of any plant and ventilation should be controlled through a condition.

Disruption could arise during the construction phase of work and the applicant and their contractors would work with the local authority and local communities to seek to

minimise disruption. The contractors would be required to engage directly with local residents. The provision of a Construction Management Plan should be a condition which would aim to minimise the impact on surrounding residents.

### TV and Radio reception

A Pre-Construction Signal Reception Impact Survey concludes that that any signal degradation to properties adjacent to the proposal and in the local area would be negligible. It notes that digital signal strength is generally strong enough to overcome any attenuation requirements that would be caused by the proposal.

Existing properties already suffer from reduced signal strength due to ongoing developments and large buildings in the line of site. Cable TV (Virgin Media), and Satellite (Sky /Freesat) are unaffected by the proposal and would mitigate any impacts and could be implemented if necessary. This could be controlled by a condition.

Should tower cranes cause interference on a greater scale than the completed development, this would be for the duration of time that the tower cranes are present.

### **Conclusions in relation to CABE and English Heritage Guidance and Impacts on the Local Environment.**

The impact on daylight levels within some adjacent rooms within the Staycity Aparthotel would exceed BRE guidance but this has to be considered in a city centre context. Such impacts also need to be weighed in the context of the wider benefits of the proposals which are discussed in more detail elsewhere on this report

On balance, it is considered that the applicant has demonstrated that the proposal would meet the requirements of the guidance as well as the policy on Tall Buildings within the Core Strategy and as such the proposal would provide a building of a quality acceptable.

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

Archaeological issues - Greater Manchester Archaeological Unit have identified potential archaeological interest of regional importance in relation to several sets of early to mid-19<sup>th</sup> century buildings of different types and functions. They have recommended that the remains should be evaluated through trial trenching, followed if appropriate by more detailed and open area excavation, to inform the understanding of the potential and significance and this should be a condition of any consent granted.

Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS) - The site is adjacent to the Rochdale Canal, Stott's Lane – Ducie Street Basin Site of Biological Interest (SBI). An Ecological Assessment concludes that the development would have no direct adverse effect any designated sites.

The planting of street trees is acceptable in principle and a condition will be attached to any consent granted in relation to exploring potential for this on both Lomax Street and Ducie Street. This increase in planting along with that proposed in other parts of the development would improve biodiversity and form corridors which enable natural migration through the site. The increase in overall green space would increase opportunities for habitat expansion leading to an improved ecological value within the local area.

Waste and Recycling – The building would have a dedicated recycling and refuse area on the ground floor, accessible from the circulation core. The applicants consider that refuse chutes do not encourage segregation of recyclables and believe that the provision of separate containers within apartments would result in waste segregation. This would be monitored by building management who would rotate bins to ensure access to empty bins. The building management team would move the bins to the road edge on bin collection day.

A private refuse contractor is to be used to allow it to be properly timed and managed with minimal disruption to other road users. This will allow more control over the vehicle size which is likely to be considerably smaller than a standard refuse vehicle to allow it to use Lomax Street. The refuse collection strategy would be outlined in the Resident Management Strategy which would be secured through a planning condition.

In accordance with MCC guidance, containers would be taken to a designated location on collection day. Level access would be provided between the bin store and the public highway with dropped kerbs adjacent to the loading bay. The number of bins for each waste stream and their compliance with MCC standards have been detailed earlier in this report. Bins for each type would be clearly marked.

Flood Risk and Sustainable Urban Drainage Strategy - The site lies within Flood zone 1 and is low risk site for flooding from rivers, sea and ground water. It is in the Core Critical Drainage Area in the Council Strategic Flood Risk Assessment and requires a 50% reduction in surface water run-off as part of brownfield development. Major planning applications determined from 6 April 2015, must consider sustainable drainage systems.

The Drainage Strategy explains that surface water run-off would be minimised and reduced to a greenfield rate if practical, and the post development run-off rates would be reduced to 50% of the pre development rates.

Surface water would discharge to the public combined sewer on Lomax Street subject to agreement with United Utilities. A minimum practical restriction of 5.0 litres/second has been assumed which accords with the City Council Strategic Flood Risk Assessment (SFRA) for brownfield sites within critical drainage areas.

The final drainage design would be informed by site investigations and consultation with the statutory undertaker to confirm the appropriateness of discharging into the public sewer. The current car park use could cause hydrocarbon contamination to groundwater which needs to be managed. The Environment Agency has no

objections but has recommended conditions in relation to managing contamination risks to adjacent ground and controlled waters..

The development would incorporate SUDS through the inclusion of green roofs. Conditions could be imposed requiring details of the surface water drainage and a maintenance and management plan of the system to be submitted for approval. The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with the policy principles.

Contaminated Land Issues - A phase 1 Desk Study & Phase 2 Geo- environmental Report have assessed geo-environmental information based on desktop / published sources, a site walkover survey and a review of intrusive investigation and remediation reports. These conclude that the historical industrial use of the site means that mitigation measures may be required to deal with on-site contamination. With these measures in place, the site would presents a low risk to future site users and construction workers. A condition would require a full site investigation and remediation measures to be submitted and agreed.

Disabled access - The building design and layout has been developed with an inclusive approach to allow easy and safe and secure access throughout the building and would feature the following:

1. Access to all communal spaces will be via level thresholds at street levels;
2. Access to all residential entrances will be via level thresholds;
3. Lifts to all floors;
4. All lift lobbies would be 1550mm wide, all circulation corridors are a minimum of 1285mm wide.
5. All apartments would be DDA accessible to living areas, kitchens and main bedrooms compliant with Part M Volume 1 Dwellings: Category 1 - Visitable Dwellings.
6. All apartments are capable of being fully compliant to DDA requirements and a dedicated number of apartments will be agreed at building regulation approval stage.
7. A dedicated disabled parking space would be provided within the building accessed off Lomax Street.
8. All apartments would be fully accessible to visitors.

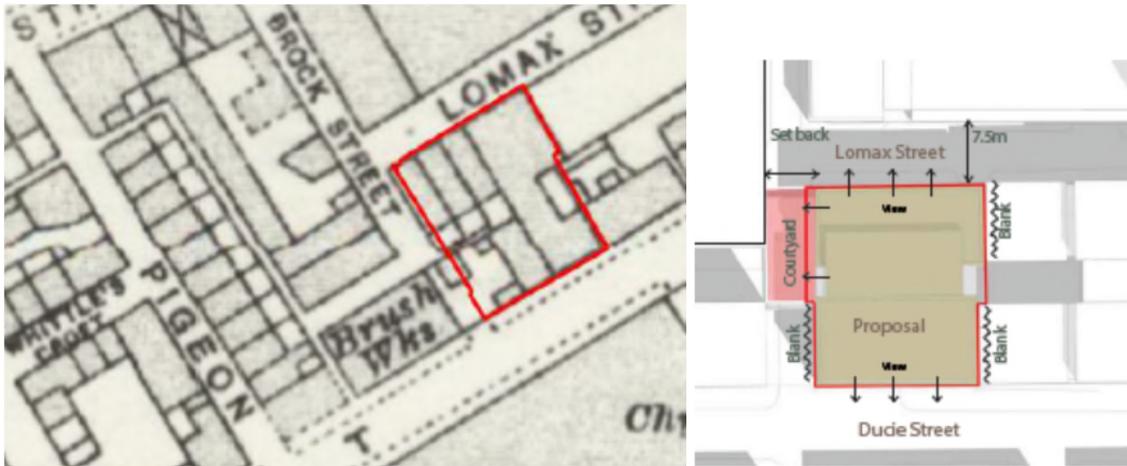
### Response to Objectors comments

The issues in relation to the need for a loading bay are dealt with above

In relation to the concerns raised about the inclusion of the balconies on the gable wall it is noted that the buildings that previously occupied the site were built to back of pavement and if they had not been demolished, there would be views from the windows within those buildings into some of the windows within adjacent plots.

Smaller separation distances are on the whole a characteristic of the historic dense urban grid in this part of the City Centre as demonstrated in the submitted Heritage Statement (see 1935 plan below). It is noted that the building line has been recessed

from the site boundary to create relief for future development of the adjacent site therefore the balconies would not project beyond the historic building line.



The distance from the edge of the proposed balconies to the adjacent plots would be approximately 5m. This separation distance is a worst-case scenario, assuming that the adjacent site is developed right up to the site boundary between other buildings within the immediate area and would be 7m elsewhere along this elevation. Looking at the historic street map above such distances were once fairly typical in this area.

The provision of private amenity space is encouraged by the Manchester Residential Quality Guidance and it is noted that the balconies have been purposefully located to provide optimum amenity for those apartments as well a good level of interest to the scheme when viewed from street level. Whilst the relocation of these balconies to the Lomax Street elevation has been considered by the applicants, it is noted that the proposed positioning of these balconies enables the apartments to gain some southern aspect off the living areas. Locating the balconies along this western elevation also provides interest as the building is viewed on approach from Brock Street. Relocating the bolt-on balconies to Lomax Street would result in north facing balconies and a loss to the schemes interest from street level.

The distance between the balconies and the existing apart-hotel opposite Lomax Street would be similar to the relationship currently proposed.

Given the above and the ability of adjacent buildings to be designed to accommodate the position of approved windows and balconies it is also considered that there is adequate scope to locate living accommodation on the adjacent site which would avoid direct views from the proposed balconies.

## **CONCLUSION**

The proposals would be consistent with a number of the GM Strategy's key growth priorities, delivering the housing required to support a growing economy and population in the city centre. This would promote and support sustainable economic growth.

The proposals are consistent with the objectives of the Piccadilly HS2 SRF and would help to transform the area to the north east of Piccadilly Station and build on the regeneration that has been delivered around the Station and Piccadilly Basin. This should help to physically and functionally connect Ancoats and New Islington to the City Centre and ensure that the northern fringe of the City Centre delivers the homes and commercial space required to support population and economic growth.

The design would not adversely impact on the setting of the adjacent listed buildings. This part of Ducie Street would be re-vitalised and the proposal would enhance the city's historic landscape. The scheme would add activity and vitality and re-integrate the site into its urban context, reinforcing the character of the streetscape.

The adjacent aparthotel has had largely uninterrupted views across the site for eight years and it is inevitable that the proposal would affect sunlight, daylight, overshadowing and privacy. It is considered that the impacts which are set out in the report have been tested and are acceptable.

The impact of the proposal including those on heritage assets and on amenity would not outweigh the clear public and regeneration benefits, including heritage benefits that would result. 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 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 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 polices 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**

**Article 35 Declaration**

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

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

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

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

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

(a) Site Plan 0303 02 001;

(b) 0303\_02\_003 - Block Plan as Proposed, 0303\_03\_00G- Rev B - GA\_Level 0, 0303\_03\_001 - GA\_Level 1, 0303\_03\_002 - GA\_Level 2, 0303\_03\_003 - GA\_Level 3, 0303\_03\_004 - GA\_Level 4, 0303\_03\_005 - GA\_Level 5, 0303\_03\_006 - GA\_Level 6, 0303\_03\_007 - GA\_Level 7, 0303\_03\_008 - GA\_Roof, 0303\_04\_001 - GA Section AA, 0303\_05\_001 - Proposed Context Elevations, 0303\_05\_002 - Existing Context Elevations, 0303\_05\_005 - Ducie Street Elevation, 0303\_05\_006 - East Facing Elevation, 0303\_05\_008 Rev A - Lomax Street Elevation, 0303\_05\_009 - West Facing Elevation, 0303\_21\_001 - Facade Studies - Ducie Street, 0303\_21\_002 - Facade Studies - Lomax Street, 0303\_21\_003 - Facade Studies - Bolt-on Balconies, 0303\_21\_005 - Facade Studies - Cladding. 0303 90 001 Level 7 Terrace Threshold Details and 0303 90 001 Landscaping layouts;

(c) Waste Management Strategy Pages 96-99 of Tim Groom Architects Lomax Street Manchester Design and Access Statement and dwg 0303\_02\_004 - Refuse Store Plan;

(d) Recommendations in sections, 3, 4 and 5 and 6 of the Crime Impact Assessment Version A dated 02/05/18; and

(e) Ducie Street Accommodation Schedule.

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

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

A programme for the issue of samples and specifications of all material to be used on all external elevations of the development and drawings to illustrate details of full sized sample panels. 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 to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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

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

(b) In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Section 11 of the National Planning Policy Framework and policy EN18 of the Core Strategy.

5) Prior to the commencement of development a programme for submission of final details of the public realm works and highway works as shown in drawing numbered 0303 90 001 Landscaping layouts; shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

- (a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on Ducie Street;
- (b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include bat boxes and brick, bird boxes and appropriate planting; and
- (c) A strategy for the planting of street trees within the pavements on Ducie Street and Lomas Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;

and shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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

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

6) 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;
- Sheeting over of construction vehicles;

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

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

7) The development shall be carried out in accordance with the Crime Impact Statement Version A dated 02-05-18. 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

8) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

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

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- 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;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

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

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

The development shall be constructed in accordance with the approved details within an agreed timescale.

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

- a. Verification report providing photographic evidence of construction as per design drawings;
- b. As built construction drawings if different from design construction drawings;
- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

10) The development hereby approved shall be carried out in accordance with the Energy and Environmental Standards Statement dated April 2018 Zerum. A post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

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

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

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

12) Before the development commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme shall be completed before any of the dwelling units are occupied. Prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation.

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

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

Reason

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

14) Following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development, hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. Television interference complaints are limited to 12 months from the completion of the Development hereby permitted.

Reason - To ensure terrestrial television services are maintained in the interest of residential amenity, as specified in Core Strategy Policies DM1 and SP1

15) Prior to development commencing a local labour agreement relating to the construction phase of development, shall be submitted to and agreed in writing with the City Council as local planning authority. The approved scheme shall be in place prior to the commencement of the development, and shall be kept in place thereafter.

Reason - To safeguard local employment opportunities, pursuant to policies EC1 of the Core Strategy for Manchester.

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

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

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

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

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

1. A phased programme and methodology of investigation and recording to include:
  - a. archaeological evaluation trenching
  - b. targeted open area excavation
2. A programme for post investigation assessment to include:
  - a. production of a final report on the results of the investigations and their significance.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

and have the findings of the investigation have been signed off by GMAAS

Reason: In accordance with NPPF Section 12, Paragraph 141 - To record and advance understanding of the heritage interest impacted on by the development and to make information about the archaeological heritage interest publicly accessible. GMAAS will monitor the implementation of the archaeological works on behalf of Manchester Planning Authority

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

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

Full details of a maintenance strategy for the areas of public realm adjacent to the site including surfaces, planting and litter collection and details of where maintenance vehicles would park shall be submitted to and agreed in writing by the City Council as Local Planning Authority shall be submitted to and approved in writing by the City Council as Local Planning Authority.

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

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

20) The development hereby approved shall be carried out in accordance with the Travel Plan Framework prepared by SK Transport Planning Ltd dated May 2018. In this condition a travel plan means a document that includes the following:

- i. the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development
- ii. a commitment to surveying the travel patterns of residents during the first three months of use of the development 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 use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

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

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

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

- 07:30 to 20:00 Monday to Saturday
- 10:00 to 18:00 Sundays and Bank Holidays

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

23) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

24) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

25) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate

system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the residential premises first commences.

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

26) Prior to commencement of development an air quality impact assessment for the development shall be submitted to and approved in writing by the City Council as local planning authority.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect future residents from air pollution pursuant to policies SP1 and DM1 of the Core Strategy.

27) Prior to occupation of the development a servicing strategy for the building outlining how servicing access will be maintained to adjacent buildings shall be submitted to and approved in writing by the local planning authority to include evidence of consultation to seek agreement to the plan with the adjacent building owners and their agents.

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

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

### **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: 120149/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.

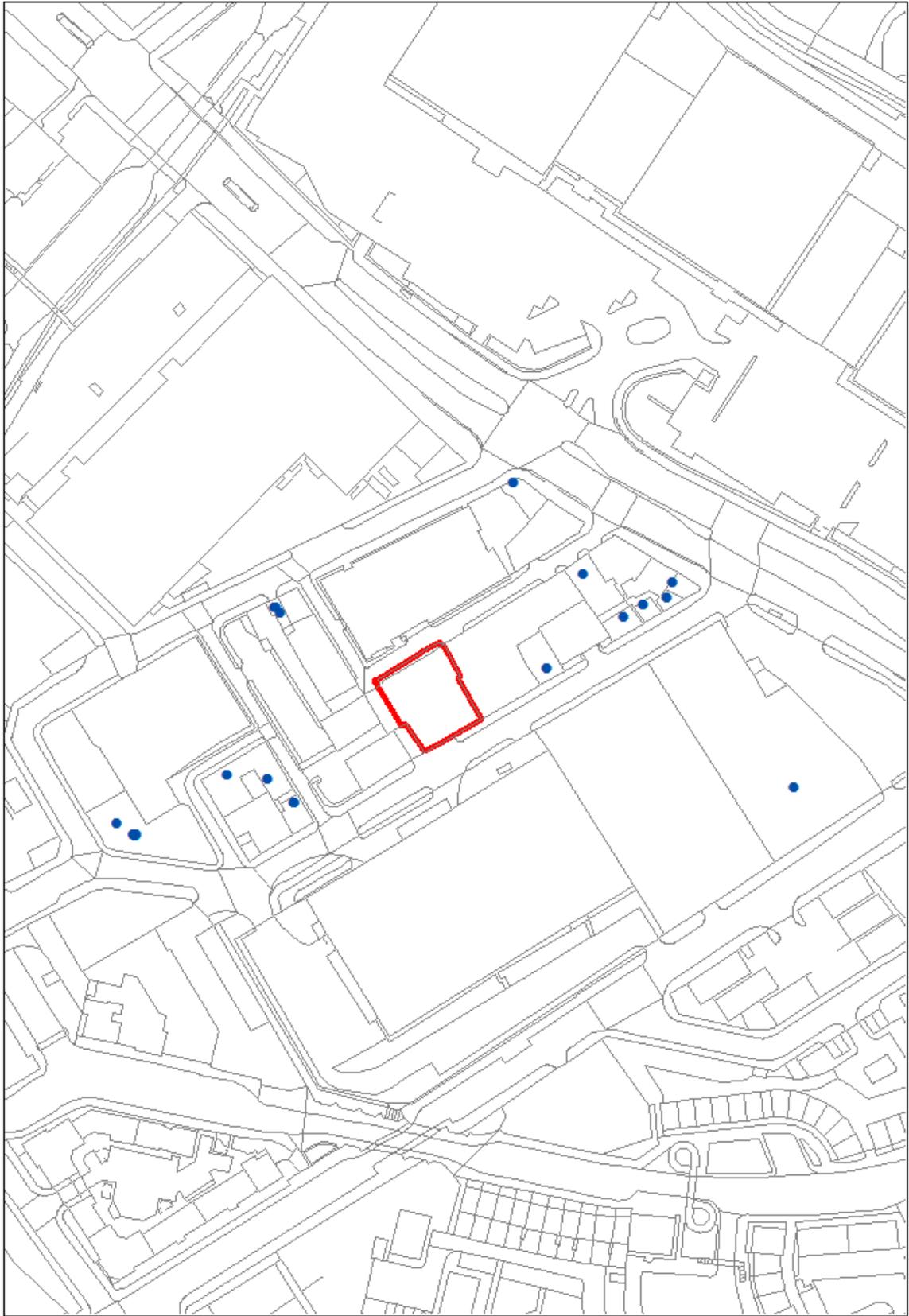
### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

- Highway Services
- Environmental Health
- Corporate Property
- MCC Flood Risk Management
- Oliver West (Sustainable Travel)
- City Centre Regeneration
- United Utilities Water PLC
- Greater Manchester Police
- Environment Agency
- Transport For Greater Manchester
- Greater Manchester Archaeological Advisory Service
- Greater Manchester Ecology Unit

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

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

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



 Application site boundary  Neighbour notification  
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