

Application Number	Date of Appln	Committee Date	Ward
121806/JO/2018	13th Nov 2018	14th Feb 2019	Ancoats and Beswick Ward

Proposal Variation of planning condition 22 of planning permission 118030/JO/2017 to allow the commercial units to open until 23:30 Sunday to Thursday and 00:00 on Friday and Saturdays

Location Cotton Field Wharf , 4 New Union Street, Manchester, M4 6FR

Applicant Hodgson, C/o Agent

Agent Ms Ema Klevan, Mace Group, Unit 5 Royal Mills, Redhill Street, Manchester, M4 5BA

Description

The application site is approximately 0.99 hectares and consists of three interlinked residential blocks known as 'Cotton Field Wharf' which were granted planning permission in 2015 under planning permission 108562/FO/2015/N1.



The central block is 10 storeys whilst the blocks wither side are 8 and 9 storeys. The building was occupied in 2017 and consist of 302 residential apartments which are privately rented and managed by Manchester Life. The ground floor of the blocks consist of 4 commercial units which were granted permission for retail (use class A1), professional services (use class A2), restaurant/café (use class A3) and non-residential institutions (use class D1). Two of the units are currently occupied by an A3 bakery/café 'Pollen' and A4 drinking establishment 'CASK'. It should be noted that as CASK is an A4 drinking establishment, and therefore not permitted within the

original use classes, has the benefit of their own planning permission (118907/FO/2018). Therefore, this unit does not form part of this application.

It is proposed to extend the opening hours on three unit in order to allow flexibility in the future.

The development fronts the northern end of New Islington Marina. The marina covers an area of 2.5 hectares with a proportion of the marina used for moorings. The marina is based on the location of former canal basins off the Rochdale Canal and provides a recreational facility within the heart of the New Islington and Ancoats area. The marina area was one of the early developments in the regeneration of New Islington and provided a key focal point and recreational offer for the new developments which have started to be developed around the area.

The Ancoats Conservation Area lies to the north west of the application site and is accessed via the pedestrian footbridge which is located adjacent to the application site providing access to Redhill Street and New Union Street. There are a number of listed buildings along Redhill Street which overlook the marina area.

The surrounding area is a mixture of residential and commercial developments. To the north of the application site are low rise residential dwellings along New Union Street. Immediately abutting the canal to the north west is an apartment development of part 3, part 4, part 5 storey blocks. To the east of the site are two storey residential dwellings which are currently under construction. Immediately to the south of the application site is the Marina area which has canal boat moorings.

The New Islington Free School, a new primary school to serve the local area, is also to be located along the northern edge of the Canal to the south of the application site.

Beyond the immediate area is Central Retail Park and Manchester Urban Exchange which provide retail facilities. The site is also within walking distance of the Metrolink stop located along Pollard Street and other recreational facilities. The City Centre is within a 15 minutes walk of the application site providing access to amenities and public transport facilities.

The proposal

Planning condition 22 of planning permission 118030/JO/2017 restricts the opening hours of the 3 ground floor commercial units within this development. CASK which operates under their own planning permission has the same restriction to their opening hours.

Condition 22 states that the commercial premises shall operate under the following opening hours:

The commercial premises hereby approved (including external seating areas), as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

Monday to Saturday 08.00hrs - 23.00hrs
Sundays 09.00hrs - 23.00hrs

The external seating areas shall not allow for the use of amplified sound or any music at any time.

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.

The applicant originally applied to vary the operating hours within the above condition as follows:

*Sunday to Thursday 08:00 to 23:30
Friday and Saturdays 08:00 to 00:30*

The opening hours that were applied for were amended during the course of this planning application as follows:

*Sunday to Thursday 08:00 to 23:30
Friday and Saturdays 08:00 to 00:00*

These opening hours are on the basis which is planning application is being considered.

Consultations

Local residents/public opinion

Two rounds of neighbour notification have been carried out in respect of this planning application in order to notify residents of the amendments to the opening hours. In addition, a site notice has been displayed at the application site together with an advertisement in the local press due to the changes being associated with a major development and being located adjacent to a listed building and conservation area.

A total of six letters of objection, from five addresses locally within the apartments within the building above the commercial premises, have been received following the first round of neighbour notification. Following the re-notification on the amended opening hours no further comments or observations were received.

A summary is provided below of the comments received following the first neighbour notification process:

- The amendments to hours will make another noisy neighbourhood such as the Northern Quarter;
- There is concern about the extension to the hours particularly in the summer months when people will be using the outside seating area;
- The close proximity to the canal poses a health and safety risk;

Environmental Health – No comments or objections to the proposal.

Landownership - Members of the Committee are advised that the City Council has an interest in this application as land owner. However, the Committee must disregard these interests and exercise its duty as Local Planning Authority only.

Policy

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

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

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

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

The policy goes onto to state that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including;
 - Creating well designed places that enhance or create character.
 - Making a positive contribution to the health, safety and well being of residents;
 - Considering the needs of all members of the community;
 - Protect and enhance the built and natural environment.

Policy C10 '*Leisure and evening economy*' states that new development and redevelopment that supports the evening economy, contributes to the vitality of

district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact – in areas where there is already a concentration of bars (A4), hot food takeaways (A5) and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity – the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.
3. Balance - new uses in Manchester centres should support both the day-time and evening/night-time economies whilst not undermining the role of the primary shopping area.

Policy DM1 '*Development Management*' provides specific issues which all new developments must have regard to. The ones which are relevant to this application are as follows:

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health;

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

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

Policy DC10 '*Food and Drink Uses*' determines that planning applications for development involving the sale of hot food to be consumed off the premises the Council will have regard to, particularly in this instance:

- The general location of the proposed development;
- The effect on the amenity of neighbouring residents;
- The storage and collection of refuse and litter.

The Council will normally accept the principle of development of this kind in the City Centre, industrial and commercial area and, at ground level, in local shopping parades of more than 8 shops or offices.

Where the Council considers food and drink premises to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. Such conditions include limitations in terms of the hours of opening and the need to deal adequately with the storage of refuse and collection of litter.

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

National Planning Policy Framework (2018)

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

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

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

Planning Practice Guide (PPG)

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

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

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

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

Other material policy considerations

Ancoats and New Islington Strategic Regeneration Framework (December 2016)

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

The SRF states that the mix of uses within the area should create a destinations of choice and should benefit the needs of the local community, with a pre-disposition against late night drink and entertainment licences. No licences will be granted after 11pm.

This position is then reiterated within the core development principles which states that Ancoats and New Islington neighbourhoods will be predominantly residential in character, late night uses including bars (Class A4) and nightclubs (Sui Generis) will generally not be appropriate or supported where there would be a potential conflict with residential amenity. No licences will be granted after 11pm.

Principle

The principle of commercial units being located at the ground floor of this development was established under planning permission 108562. It is acknowledged that the application sites position, fronting the marina, provides a unique setting to the building and its surroundings. The marina is a substantial area of public realm with walk ways and landscaping. A number of residential developments have been developed around this location to take advantage of this recreational offer.

As such, the principle aim of providing ground floor commercial uses within Cotton Field Wharf was to contribute positively and take advantage of its position fronting onto the marina as well as providing natural surveillance to the area and amenities for the occupants of the development.

The provision of commercial uses was considered acceptable as it would help support the mixed use aim of the development and add to the vitality and viability of the development in order to satisfy the aims of the Ancoats and New Islington Neighbourhood SRF.

The applicant is seeking to amend the operating hours of the development in order to improve the attractiveness of the premises for businesses and bring the units in line with a recent change to the licensing arrangements within this part of this City which permits commercial units to be open until 00:30 at weekends.

Alterations to the opening hours are considered acceptable in principle subject to there being no unduly harmful impacts on surrounding residential amenity as a consequence of any changes. This will be considered below.

Residential amenity

Noise and disturbance, from comings and goings, to the commercial premises is a key consideration in determining the appropriateness of changing the opening hours. The residential properties which could be most affected by this development are those within the Cotton Field Wharf development which are situated directly above the commercial units together with residential properties along New Union Street (to the north of the site) and Keepers Quay to the west of the application site (which are separated from the application site by a section of waterway).

Currently the commercial units within this development are restricted to 23:00 to reflect the requirements of the SRF for Ancoats and New Islington which seeks to ensure that the character of the area is retained as a residential neighbourhood and one that is not dominated by late night uses.

It should also be noted that both the commercial premises and residential accommodation have been acoustically insulated to the satisfaction of Environmental Health as part of discharging the acoustic insulation conditions associated with the original planning permission.

These restrictions and requirements sought to minimise disturbance and external noise to the premises together with ensuring that noise transfer between the premises and residential accommodation was not unduly harmful.

A number of developments have been completed and occupied across the area. It has become apparent that the 23:00 position is too restrictive for operators and could be detrimental to their commercial success and the vitality of Ancoats and New Islington as a thriving mixed use neighbourhood.

Accordingly, the licensing policy for the area has been altered which allows commercial premises within Ancoats and New Islington to operate beyond 23:00 – 23:30 weekdays and 00:30 weekends. Notwithstanding the change to the licensing regime, where the opening hours are restricted by a planning permission, these take precedent over that permitted by the premises license. As such, it is necessary to consider the appropriateness of increasing the opening hours as part of the planning process particularly on the impact on surrounding residential amenity in each individual case.

The applicant had originally applied to increase the opening hours by 30 minutes on Sundays to Thursdays (until 23:30) and by an hour and a half on Fridays and Saturdays (until 00:30).

It is not considered that there would be any unduly harmful impacts associated with increasing the opening hours by 30 minutes Sunday to Thursday. This is a standard arrangement for most licensed premises across the City.

However, a number of residents expressed concern about the changes to the operating hours which would permit longer opening hours on Fridays and Saturdays until 00:30. It was contended that disamenity would arise from noise and disturbance in the area when the background noise levels would be much lower.

It is acknowledged that Cotton Field Wharf's position on the marina is different to that of other mixed use developments in the area which are clustered in and around Cutting Room Square within the heart of the Ancoats conservation area. As such, it is considered that having commercial units open until 00:30 within the marina area would likely cause a degree of disruption to local residents given the predominantly residential characteristics of this part of the neighbourhood.

Accordingly, the applicant was asked to reduce the opening hours on Friday and Saturday to 00:00 in order to minimise the impact on residential amenity. It is considered that any use of any external seating areas should remain restricted to the currently permitted hours of 23:00 seven days a week in order to minimise disruption external to the premises.

It is therefore recommended that condition 22 should therefore be altered as follows:

The commercial premises hereby approved, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

*Sunday to Thursday 08:00 to 23:30
Friday and Saturday 08:00 to 00:00*

The external seating areas shall not allow for the use of amplified sound or any music at any time and shall operate in accordance with the following hours:

*Monday to Saturday 08.00hrs - 23.00hrs
Sundays 09.00hrs - 23.00hrs*

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.

As detailed above, this planning permission relates to the 3 commercial units under planning permission 118030 only. CASK, which are situated within unit 1 of Cotton Field Wharf, have their own planning permission 118907 which restricts their opening hours until 23:00. Should they wish to vary their opening hours then they will need to apply to the City Council, as Local Planning Authority, accordingly.

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

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

policies of the Unitary Development Plan, the Head of Planning, Building Control and Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

Reason for recommendation

Conditions to be attached to the decision

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

Drawings and documents approved by planning permission 108562

Drawings P31004 Rev C, P31005 Rev C, P31002 Rev C and P31003 Rev C stamped as received by the City Council, as Local Planning Authority, on the 9 June 2015.

Drawings P30002 Rev B, P30001 Rev B, P32001 Rev B, P30003 Rev B, P30004 Rev B, P30005 Rev B and P30000 Rev B stamped as received by the City Council, as Local Planning Authority, on the 9 April 2015

Drawings P30000 Rev E and TSK-001 stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015.

Update report 'response to consultees' prepared by Deloitte stamped as received by the City Council, as Local Planning Authority, on the 4 June 2015

Ecology appraisal prepared by Arup (Ref 235055-00), Energy and environmental standards statement prepared by Arup (ref. 235055-00), Operational recycling and waste strategy prepared by Arup (ref. 235055), Archaeology statement prepared by Arup (Ref. 235055), Crime Impact statement prepared by Design for Security (Version A 31 March 2015), Ventilation Statement prepared by Arup (ref. 235055-00), TV Reception survey prepared by Taylor electronic systems engineers (ref. 10040A/Rev A), Management Statement prepared by Manchester Life, Travel plan framework prepared by Arup (ref. 235055), Statement of community consultation prepared by Deloitte, ecology appraisal prepared by Arup (ref 235055-00), heritage statement prepared by KM Heritage, planning statement prepared by Deloitte, Transport Assessment prepared by Arup (ref. 235055) stamped as received by the City Council, as Local Planning Authority, on the 9 April 2015

Transport Assessment Addendum (ref.235055) prepared by Arup stamped as received by the City Council, as Local Planning Authority, on the 4 June 2015

Daylight and sunlight assessment prepared by Arup stamped as received by the City Council, as Local Planning Authority, on the 28 May 2015.

Drawings approved as a result of planning permission 118030

Drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017.

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

2) The drainage scheme shall be carried out in accordance with the following details:

- Drainage statement stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015;
- C151619-HYD-C-SK002_P2 Catchment areas stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015;
- C151619-HYD-XX-XX-DR-C-001_P2 drainage layout stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015
- Drainage calculations stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015
- Further drainage details stamped as received by the City Council, as Local Planning Authority, on the 19 October 2015
- Drainage verification stamped as received by the City Council, as Local Planning Authority, on the 19 June 2018

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

3) a) The development shall be carried out in accordance with the following information in respect of the ground conditions:

- Email from Danny Hope of Hydrock, Silk Glass Final Issue, Dated: 14 October 2015.
- Geoenvironmental Interpretative Report, Silk Glass, Manchester, Hydrock, Reference: C151619-HYD-XX-XX-RP-G-001, Dated: October 2015.
- Remediation Method Statement, Silk Glass, Manchester, Hydrock, Reference: C151619-HYD-XX-XX-RP-G-002, Dated: October 2015.
- Remediation verification report stamped as received by the City Council, as Local Planning Authority, on the 15 October 2018

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

- 4) The construction management of the development shall be carried out in accordance with the following details:
 - Construction management project strategy Plan stamped as received by the City Council, as Local Planning Authority, on the 7 October 2015.
 - Technical Note prepared by Atkins dated 17 July 2015;
 - Site access plan;
 - Car park management plan stamped as received by the City Council, as Local Planning Authority, on the 30 November 2015.

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

Reason - To safeguard the amenities of nearby residents, highway safety and to prevent any detriment to the Rochdale Canal and its users, and avoid damage to or contamination of the waterway and ground water including from wind blow, seepage or spillage at the site, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

- 5) The development shall be carried out in accordance with the provision of mitigation for shading a section of Rochdale Canal prepared by ADAS stamped as received by the City Council, as Local Planning Authority, on the 13 October 2015. The approved details shall be implemented as part of the development and shall be in place prior to the first occupation of the development.

Reason - To determine the impact of the development on the ecology within the Rochdale Canal and to devise appropriate mitigation where necessary pursuant to policy EN9 of the Manchester Core Strategy (2012).

- 6) No clearance of vegetation or trees from the site should be carried out during the bird nesting season (March to July inclusive).

Reason - To protect existing habitats for birds, pursuant policies EN15 and DM1 of the Manchester Core Strategy (July 2012).

- 7) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the

character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

8) The development shall be constructed in accordance with the following materials as indicated on the following information:

- Drawing WP013-WIN-ALL-DE-WD07 Rev C02 stamped as received by the City Council, as Local Planning Authority, on the 3 April 2017
- Materials specification schedule stamped as received by the City Council, as Local Planning Authority, on the 3 April 2017

The approved materials shall then be used in the construction of the development. Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1, H1 and DM1 of the Manchester Core Strategy.

9) The drainage management shall be carried out in accordance with - Silk Glass Drainage Statement stamped as received by the City Council, as Local Planning Authority, on the 10 September 2018.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, details are to be provided that further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

10) The hard and soft landscaping shall be carried out in accordance with the following information:

- (90) 5021 Rev C and (90) 5022 Rev D, CBA-LSA-EXT-GA-0010 Rev FA02, CBA-LSA-EXT-GA-0030-FA01-01, CBA-LSA-EXT-GA-0031-FA01-0, CBA-LSA-EXT-SCH-0001 and CBA-LSA-EXT-SCH-0002 stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

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

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

11) The boundary treatment shall be carried out in accordance with the following details:

- (90) 5021 Rev C and (90) 5022 Rev D stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

The approved details shall then be implemented prior to the first use of the development hereby approved and shall thereafter be retained and maintained in accordance with these details.

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

12) The development hereby approved shall be carried out in accordance with the - Post construction statement stamped as received by the City Council, as Local Planning Authority, on the 15 October 2018

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

13) The plant shall be carried out in accordance with the - Note from DBX acoustics stamped as received by the City Council, as Local Planning Authority, on the 26 September 2018

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

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

14) Prior to the first use of the commercial units as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017, should fume extraction be required details of how the fumes, vapours and odours shall be extracted and discharged from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the commercial premises and thereafter retained and maintained in situ.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

15) The acoustic treatment and insulation of the commercial accommodation shall be carried in accordance with the Note from DBX acoustics stamped as received by the

City Council, as Local Planning Authority, on the 26 September 2018. The approved scheme shall then be implemented prior to the first use of the commercial accommodation and thereafter retained and maintained.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

16) The acoustic treatment and insulation of the residential accommodation shall be carried in accordance with the Note from DBX acoustics stamped as received by the City Council, as Local Planning Authority, on the 26 September 2018. The approved scheme shall then be implemented prior to the first occupation of the residential accommodation and thereafter retained and maintained.

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

17) The development hereby approved shall be carried out in accordance with the waste management strategy and drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 9 April 2015 and 30 June 2015 respectively. The refuse arrangements shall be put in place prior to the first occupation of the development and remain in situ for as long as the development is in use.

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

18) Prior to the first use the commercial units as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

19) The lighting scheme shall be carried out in accordance with the following information:

- AMN_ELE_ALL_GA-61-001 Rev C03 stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

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

20) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

21) Commercial and landlord deliveries, servicing and collection including waste collections associated with the commercial units and central residential facilities shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

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

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

22) The commercial premises hereby approved, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

Sunday to Thursday 08:00 to 23:30

Friday and Saturday 08:00 to 00:00

The external seating areas shall not allow for the use of amplified sound or any music at any time and shall operate in accordance with the following hours:

Monday to Saturday 08.00hrs - 23.00hrs

Sundays 09.00hrs - 23.00hrs

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) The commercial units as shown on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall remain as shown and shall not be subdivided without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

24) The commercial premises, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 can be occupied as A1, A2, A3, B1 or D1 (with the exception of a place of worship) . The first use of each of the commercial units to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester .

25) In the event that the commercial units are occupied as a D1 use, prior to the first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Details of outdoor play spaces, including details of boundary treatment, equipment and storage;
- A management plan for 'pick up' and 'drop off', car parking and servicing. For the avoidance of doubt, this shall include details of waiting area within the curtilage of the site (including plan clearly showing the demarcation of the car park) and management of car parking arrangement when the car park is at full capacity including management of potential on street parking

The approved details shall then be implemented and remain in place for as long as the development is in use for D1 purposes.

Reason - To ensure satisfactory amenity space and management plan for pick up and drop off is put in place for a nursery, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

26) The residential management of the building shall be carried out in accordance with the following information:

- Manchester Life Assured Shorthold tenancy Agreement;
- House Rules Cotton Field Wharf;
- Executive summary

The above information was stamped as received by the City Council, as Local Planning Authority, on the 27 September 2017.

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

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

27) The development hereby approved shall be carried out in accordance with the Travel plan stamped as received by the City Council, as Local Planning Authority, on the 16 November 2018.

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

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

Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

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

28) Prior to the first occupation of the building, 204 cycle stands shall be implemented in accordance with the drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015. The cycle stands shall be retained and maintained in situ for as long as the development remains in use.

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

29) Prior to the first occupation of the development hereby approved, the car parking layout, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

30)The development shall be carried out in accordance with the Statement prepared by Manchester Life stamped as received by the City Council, as Local Planning Authority, on the 29 September 2017 in respect to sustainable travel and car clubs. The approved details shall be implemented and made available prior to the first occupation of the development and thereafter retained and maintained.

Reason - To promote car sharing and other sustainable modes other than the car at the application site pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

31) The building recesses shall be secured in accordance with the following details:

(90) 5021 Rev C and (90) 5022 Rev D stamped as received by the City Council, as Local Planning Authority, on the 13 October 2017

The approved scheme shall then be implemented prior to the first occupation of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure that the recess areas do not encourage loitering pursuant to policies SP1 and DM1 of the Manchester Core Strategy (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: 121806/JO/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.

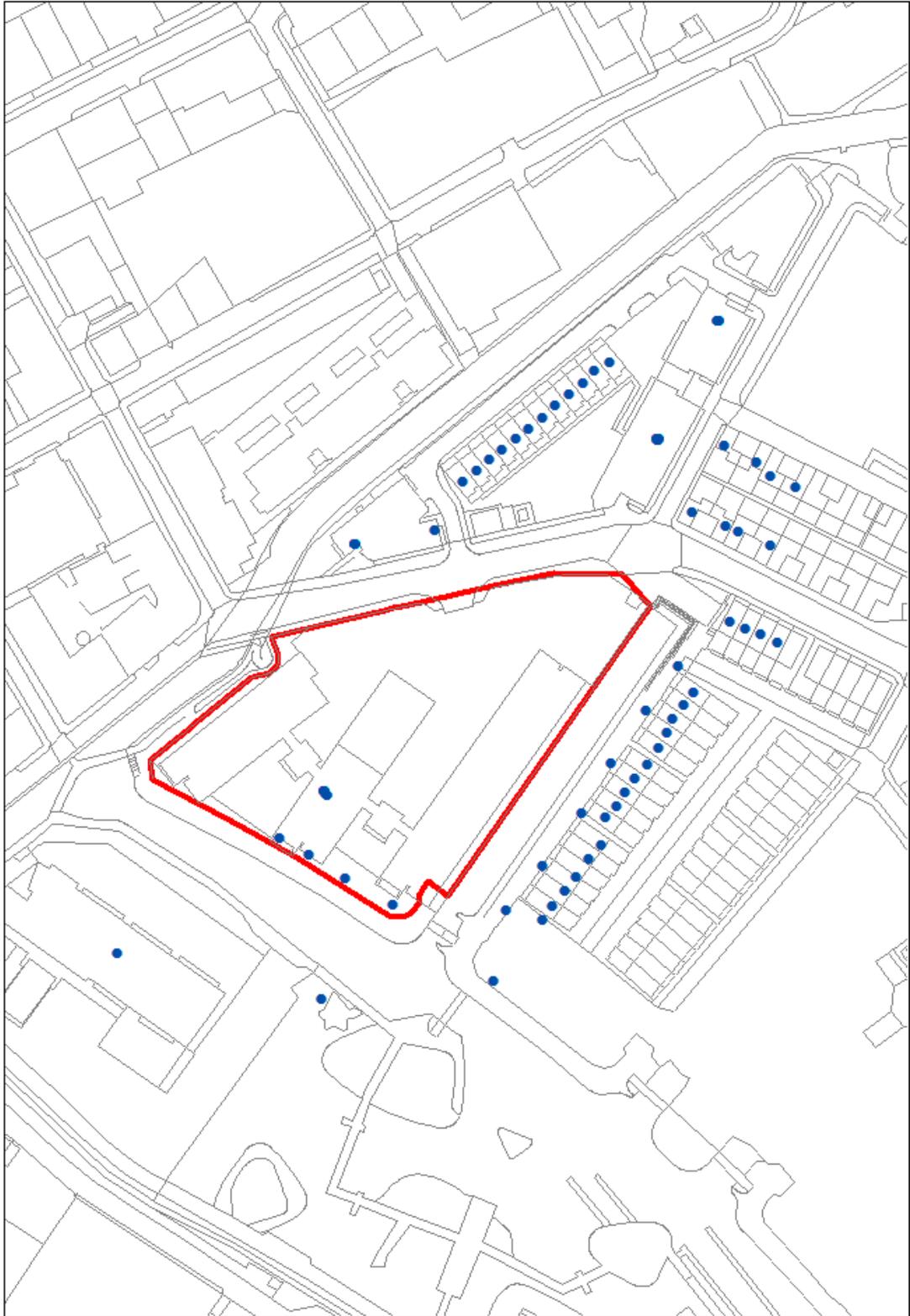
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Environmental Health
Environmental Health
Environmental Health

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

Representations were received from the following third parties:

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : j.atkinson@manchester.gov.uk



 Application site boundary  Neighbour notification
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