

Application Number	Date of Appln	Committee Date	Ward
121380/FO/2018	27th Sep 2018	14th Feb 2019	Piccadilly Ward

Proposal Erection of a part 31, part 13, part 5 storey building to form 373 residential apartments (Use Class C3a) and 12 serviced apartments (Use Class C1) together with a ground floor commercial unit (408 sqm) (Use Class A1, A2 or A3) with associated car parking, public realm and other associated works following demolition of existing buildings

Location Swan House, Swan Street, Manchester, M4 5DF

Applicant Cable Swan Limited, C/o Agent,

Agent Mr Andrew Johnston, GVA HOW Planning, 40 Peter Street, Manchester, M2 5GP

Description

The site measures 0.3 hectares and is bounded by Rochdale Road, Swan Street, Cable Street and Mason Street. It includes a two storey, red brick, warehouse building that was used as a fish processing factory but has been split into several units used for textile manufacturing, storage, double glazing sales and a furniture shop with garages at ground floor.



View of the existing building on site from Cable Street (left) and Angel Street

The site is in New Cross Neighbourhood Development Framework (NDF) which will become a dense residential area and contribute to the City's economic and population growth. The Framework proposes development at a high to medium density with a taller building at the corner of Rochdale Road and Swan Street.

Immediately adjoining the site on Swan Street, are 56-68 Swan Street and the Bank of Baroda. These properties vary in terms of age, style and quality. The NDF

envisaged they would form part of a wider development scheme, however, they are not part of this submission. 56-68 Swan Street are considered to be non-designated heritages assets. The Bank of Baroda is a more modern building.



View of the building from Shudehill

The wider area contains residential, commercial and retail activities along Swan Street. A number of sites are being developed nearby that will help to realise the NDF vision.

New Cross has a tightly grained street pattern and this is still evident and a number of small warehouse and industrial remain. However, Addington Street and Thompson Street are now part of the City's strategic highway network which has changed their role and function and this has had an impact on the area. .

The Smithfield Conservation Area is on the opposite side of Swan Street and the following buildings are listed: 29 Swan Street (Grade II), Mackie Mayor (Grade II), Former Midland Bank (Grade II), 8 Cable Street (Grade II), former police and ambulance station (Grade II).

The area has excellent links to public transport and Manchester Victoria train station and all forms of sustainable transport are within a short walk.

The Proposal

The development proposes 373 apartments, 12 serviced apartments and 408 sq m of commercial space (Use Class A1, A2 or A3). The building would have two taller elements with a 31 storey tower on the corner of Rochdale Road/Swan Street and 13 storey building on the corner of Cable Street/Mason Street which would be joined by a low rise section of building along Cable Street.

The building would occupy a prominent position on Rochdale Road, Swan Street, Cable Street and Mason Street. There would be 130 one bedroom, 156 two bedroom and 87 three bedroom apartments. The accommodation would be for the Private Rented Sector (PRS) for up to 678 residents. The serviced apartments would be available for short term rent.

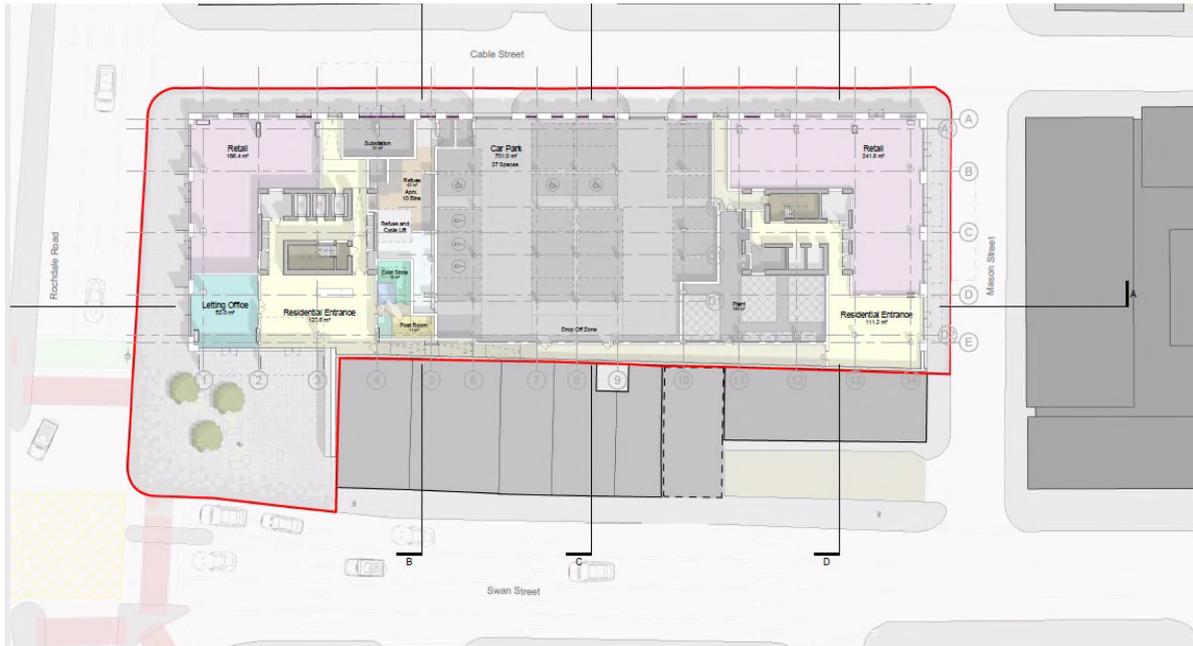
The development would include a resident's lounge, library/business suite, gym, screening room, laundrette, two dining rooms and an external terrace. The communal spaces would allow residents to interact and socialise.

Two ground floor retail units would provide active frontages to Rochdale Road and Mason Street, at the junction with Cable Street. A management and letting office would be on the ground floor.

The public realm around the site would be improved and a forecourt created around the main entrance on Swan Street/Rochdale Road. Street trees would be provided in this space and along Rochdale Road and Mason Street should services allow.

The entrance to the western tower would be located off the forecourt on Swan Street with the eastern tower accessed from Mason Street. 27 parking would be provided at the ground floor, including 3 bays for disabled people, with cycle parking provided at a mezzanine level. Electric vehicle charging points would be included.

Access to the serviced apartments would be via the western tower. Visitors would go to the main reception and be provided with details of their accommodation before being directed to a lift which would access the serviced apartments on the mezzanine level only. Access would be controlled via an electronic fob system.



Ground floor layout

The buildings have been designed to respond to the context and the parameters set within the New Cross NDF. The tallest element at 31 storeys would be located at corner of Rochdale Road and Swan Street. This would be opposite the 35 storey building under construction at Angel Gardens in NOMA. The eastern tower at 13 storeys reflects the reduction in scale emphasized within the NDF.

The height of the towers was increased by one storey following submission, as it was necessary to reconfigure some of the internal space to minimise overlooking to the adjacent Bank of Baroda site.

Refuse storage in each building would comply with Council standards, and there is a clear commitment to segregate and recycle waste. Refuse storage space would be provided in each apartment and waste would be taken to the refuse storage areas. Residents would have access to all waste streams in order to maximise recycling. The facilities team would ensure that waste is transferred to a loading bay on Cable Street on collection days.

The planning submission

Together with the submission of the Environmental Statement, this planning application has been supported by the following information:

- Supporting planning and tall buildings statement;
- Statement of community involvement;
- Design and Access statement;
- Environmental Standards Statement;
- TV reception survey report;
- Crime Impact Statement;
- Ventilation strategy;

- Waste management strategy;
- Ground conditions;
- Flood risk assessment and drainage strategy;
- Ecological assessment;
- Travel plan and transport statement;
- Environmental Statement;
- Townscape and Visual assessment;
- Noise and vibration report;
- Air Quality assessment;
- Daylight, sunlight and overshadowing assessment;
- Socio-economic statement;
- Health Impact Assessment.

Consultations

The proposal has been advertised as a major development and of being of public interest together with being an EIA development, affecting the setting of a conservation area and a listed building. Site notices were displayed at various locations around the application site. Two rounds of notification have been carried out to an extensive area of local residents and businesses. The comments can be summarised as follows:

First notification

Three letters of objection were received and can be summarised as follows:

- External Materiality – the proposed building has substantial areas of façade which will be seen from a variety of important locations and angles given the sites prominence and the proposed massing/height. As a result, it is crucial that the detailing of the proposed brick-slip cladding system is of the highest quality. The proposed brick-slip over a rainscreen/unitised glazing will give the building a flat and uninteresting appearance particularly from short to medium view-points. There is concern about the ability to create a consistent quality finish across the entire expanse of all the building facades using this system and the ability to maintain a robust jointing pattern.
- Façade Detailing and Reveal Depths – given the scale of the development it will be important to ensure that the selected bricks are of the highest quality. It is also important that the window reveal depths are maintained. In addition, the head and cill detailing at the window reveals need careful consideration and monitoring to ensure the highest quality of design and appearance.
- External Landscaping/Ground Floor – the application proposals contain a small public square to the entrance of the building on the corner of Rochdale Road and Swan Street which includes a green wall feature. It is hugely important that the detailed design of this square together with the choice of materials and finishes is of the highest quality on this prominent corner. The proposal also contains a series of wind screens and the design of these screens needs to be very carefully considered.
- Sunlight / Daylight – the Swan House application will have a detrimental impact on the sunlight and daylight available to Angel Gardens. In absence of

the proposed development, 99.8% of the windows with Angel Gardens pass the Vertical Sky Component (“VSC”) test and 100% of the windows tested pass the No Sky Line (“NSL”) and Annual Probable Sunlight Hours (“APSH”) assessments. Assuming planning permission is granted for the current Swan House design, the VSC pass rate drops to 77.7% and the NSL ratio drops to 82%. Given the context of the application site which does not fall within the core of the city centre, it should be possible to orientate the mass and height of the proposed building to lessen this detrimental impact on a neighbouring building which already benefits from a planning permission and which is currently being implemented. The New Cross Neighbourhood Development Framework adopted by the City Council assigns 17-20 storeys to this site. This is the correct massing of development for this important site. This should be reconsidered particularly in relation to design/massing orientation and mitigation.

- Serviced Apartment Management – the application proposes 12 serviced apartments. It is important that there is a robust management structure in place in order to avoid rowdy anti-social behaviour which is often associated with weekend “stag and hen parties”. This clear structure of ongoing management tied to the use of the site is important to protect the amenity of all residents and to promote a neighbourly environment. As currently proposed and orientated, the development rising up to 31 storeys would have a detrimental impact contrary to the adopted New Cross Neighbourhood Development Framework. The principal tower is over 30% taller than advocated in the adopted framework and the positioning of the development results in an unnecessary adverse impact on Angel Gardens.
- There is a potential for structural damage and health and safety implications as a result of the development on the adjacent buildings;
- The adjacent low rise building contain business who will be disrupted during the construction work any may choose to locate elsewhere therefore resulting in loss of business;
- The proposed scale of the development, at 30 storeys, will overbear adjacent buildings.
- There are windows overlooking the Bank of Baroda site which will jeopardise the future development potential of this site.

Second notification

One further letter of objection has been received from an objector who raised comments on the first round of notification. The comments can be summarised as follows:

- None of the comments raised previously have been addressed. There are still 88 windows overlooking the Bank of Baroda site which jeopardises the future development potential of the site and directly effects the value of our building. The internal arrangements needs to be altered to negate the need for 88 windows directly overlooking our building;
- The proposed arrangements would prevent use from developing the Bank of Baroda site past 5 storeys which would not meet the aspirations of the development framework which allows for a minimum of 7 storeys. The windows should be removed up to 7 storeys.

Strategic Development – support the scheme and happy it delivers on framework objectives. Monies should be secured as part of any planning permission which supports wider public realm works.

Highway Services – the traffic impacts on the surrounding highway are expected to be minimal and could be accommodated without further intervention. Funding should be made available for a crossing across Swan Street and traffic regulation orders (TROs) on surrounding streets.

The applicant should liaise with nearby car park operated regarding the leasing of parking spaces for residents should demand exceed that provided on site. A number of fast charging electric vehicle points have been installed. A travel plan framework has been provided and a full plan should be prepared following occupation of the development.

Environmental Health Further investigation into ground conditions is required in order to develop a remediation strategy. Following completion a verification report should be submitted. Deliveries should be restricted to 07:30 to 20:00 Monday to Saturday with Sundays 10:00 to 18:00. Details of any fume extraction system(s) should be submitted for approval. Full details of fugitive dust emissions during earthworks and construction would be required.

The operating hours of the commercial premises should be agreed and further information would be required in relation to the acoustic insulation of the commercial and residential accommodation together with the hours of use of any external seating and communal areas. Any condition should include the requirement for post completion verification. Details of plant shall be agreed as part of any planning approval. The waste management arrangements are acceptable in respect of this matter. Consideration should be given to the provision of electric car charging points.

Environment Agency – The previous use of the site as a Mill presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this area since the development overlies a Principal Aquifer. Conditions should be imposed on the planning permission relating to the ground conditions and any pilling.

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

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

Greater Manchester Archaeology Unit – Recommend that should planning consent be granted, an archaeological condition for a programme of archaeological works be attached to any planning permission. This will include a level 2 building survey of the existing buildings.

Historic England – No comments to make.

Greater Manchester Ecology Unit – A bat survey found no evidence of bats in the building to be demolished and found any impacts to bats or their roosting spaces is considered to be very unlikely. As bats are highly mobile creatures there should be an informative on the planning approval with regards the relevant legislation in this regard.

Manchester Conservation Areas and Historic Buildings Panel – The panel were concerned that the building is trying to relate to the New Cross masterplan rather than the adjacent conservation area. They advised that the building should be relating to the existing buildings on the same side of Swan Street - but felt it neither relates to them both in terms of its height and massing or the existing building line. The panel felt the overall scheme did not enhance the character of the conservation area.

The proposal is close to the rear elevations of the adjacent buildings and would effectively make the upper floors of the building unusable for residential use in the future. The proposal does not relate well to a key corner junction with Rochdale Road and has both a weak entrance and is too close to the back of footpath on the Rochdale Road. The panel expressed concern about the loss of small parade like this in Manchester

The panel considered the two storey glass panels were a weak piece of elevational treatment in attempting to break up a poor monotonous design. They felt the access relationship was poor, with different entrances trying to carrying out different roles. The ground floor was vulnerable and the 2 floors of glass screening could be subject to anti-social behaviour. They advised the security of the site needs to be considered. The panel also commented that the building had a flimsy metal panels which do not relate to any other parts of Manchester. The ground and mezzanine/first floor should be lettable commercial space. The proposed tree planting was inappropriate.

Aerodrome Safeguarding for Manchester Airport –There are no safeguarding objections provided that the height stated is not exceeded. As part of an informative of the planning approval, details of a crane permit should be provided.

Policy

The Development Plan

The Development Plan consists of:

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

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

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

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

The relevant policies within the Core Strategy are as follows:

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

SO2. Economy – seeks to significantly improve the economic performance of the City and to spread the benefits of the growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities. The scheme would provide jobs during construction and would provide housing near to employment opportunities.

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

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

SO6. Environment - the development would seek to protect and enhance the City's natural and built environment and ensure the sustainable use of natural resources in order to:

- mitigate and adapt to climate change;
- support biodiversity and wildlife;
- improve air, water and land quality; and
- improve recreational opportunities;
- and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP1 'Spatial Principles' - a key spatial principles is to create neighbourhoods where people choose to live, through providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's

transport infrastructure, and in particular promote walking, cycling and the use of public transport.

The proposal would help to meet housing growth and create a high quality neighbourhood. It would minimise any impact on local residents and would deliver high quality design, public realm and linkages.

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

Policy CC3 'Housing' residential development in the City Centre should comprise apartment schemes. High quality accommodation is encouraged which offers accommodation large enough to suit a range of occupants, in terms of both the number of rooms and their size. A mixture of property types are proposed with the predominate offer being larger accommodation suitable for families and in line with adopted space standards.

Policy CC5 'Transport' supports proposals that improve pedestrian safety, improve air quality and increase the scope for accessible public realm improvements. It also seeks to ensure that developments have adequate car and cycle provision. This proposal would improve footpaths at the site. Cycle provision has been maximised along with a packages of measures to improve access to alternative forms of transport.

CC6 'City Centre high density development' City Centre development will generally be high-density to maximise efficiency. Scale, mass and height in the City Centre will significantly exceed what is appropriate elsewhere. The density and scale proposed would use the site efficiently.

Policy CC9 'Design and Heritage' new buildings must be of the highest standard in terms of appearance and function. Development in Manchester should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments. The Council supports high density and mixed use development, but developers must address the specific design challenges to ensure function and form are complementary. The proposal is considered to be of high design quality and would help to regenerate this area.

Policy CC10 'Place for everyone' the City Centre must appeal to residents and visitors

Policy T1 'Sustainable Transport' sustainable, high quality, integrated transport system is promoted to encourage modal shift to public transport, cycling and walking. This area has access to a range of public transport modes and the development would encourage cycling, car sharing and car clubs.

Policy T2 'Accessible areas of opportunity and needs' This site is in a highly sustainable location, close to all forms of public transport and the proposal would

have a minimal impact on the highway network and encourage the use of other forms of transport.

Policy EN1 'Design principles and strategic character areas' This is a high quality scheme in terms of design and appearance and would enhance the regeneration of the area.

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

Policy EN3 'Heritage' development should take advantage of the City's distinct historic and heritage features. It must preserve or enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. The manner in which the scheme addresses this is clearly set out below.

Policy H1 'Overall Housing Provision' the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments are appropriate in the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land.

This would be a dense residential scheme within an area where housing growth has been prioritised. The design, siting and scale of the building respond to acknowledging priorities and would re-use a previously developed site. The varied size of accommodation would be attractive to a diverse range of occasions. The accommodation includes a large number of 2 and 3 bed properties.

Policy H8 'Affordable Housing' all schemes of 0.3 hectares and more than 15 units should contribute to ensuring that 20% of housing in the City is affordable. The development would not provide affordable housing on site. The accommodation would be in the private rented sector and diversify housing choice. The viability of the scheme has been considered and is deliverable in its current form with an onsite provision of 19 units which will be 80% local market rents. Further details will be provided in the main body of the report.

EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. This development follows the principles of the energy hierarchy to reduce the need for

energy through design and uses energy efficient features and could be adaptable to use low or zero carbon energy generating technologies

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

Policy EN6 'Target framework for CO 2 reductions from low or zero carbon energy supplies' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable. The design would be efficient and reduce overall energy demand. The building fabric would be high quality and result in lower energy costs.

Policy EN9 'Green Infrastructure' Development should enhance green infrastructure, improve its functions and create and improve linkages to and between areas of green infrastructure. There is limited green infrastructure at the site and that which is present is of limited quality. The landscaping and tree planting proposed would enhance the area.

Policy EN14 'Flood Risk' a scheme would be agreed which minimises the impact from surface water runoff.

Policy EN15, 'Biodiversity and Geological Conservation', development should enhance, restore or create new biodiversity, either on site or adjacent to the site and contribute to linkages between valuable or potentially valuable habitat areas where appropriate. The application site is not high quality in ecology terms. .The landscaping proposed should assist biodiversity in the area.

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

Policy EN17 'Water Quality' The development would minimise the impact on the surrounding water courses including those which may be under ground.

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

EN19 'Waste' The applicant has a clear waste management strategy for the site which would ensure that residents adhere to recycling principles. Compliance with this strategy would be a condition of any planning approval.

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

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

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

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

Policy DM2 'Aerodrome Safeguarding' The proposal does not conflict with any safeguarding policies provided suitable mitigation is put in place with regards to the radar. For the reasons given, and within the below analysis, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

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

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

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

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

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

- a. The Council will seek to preserve or enhance the character of its designated conservation areas by carefully considering the following issues:
 - a. the relationship of new structures to neighbouring buildings and spaces;
 - b. the effect of major changes to the appearance of existing buildings;
 - c. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - d. the effect of signs and advertisements;
 - e. any further guidance on specific areas which has been approved by the Council.

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

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

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

Saved policy DC20 Archaeology states the Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. This is discussed in detail below.

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

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

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

National Planning Policy Framework (2018)

The revised NPPF was adopted in July 2018. The document states that the *‘purpose of the planning system is to contribute to the achievement of sustainable development’*. The document clarifies that the *‘objective of sustainable development*

can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

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

Section 5 '*Delivering a sufficient supply of new homes*' states that *a sufficient amount and variety of land should come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'* (paragraph 59).

Para 64 states that at least 10% of housing is for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 '*Promoting Healthy and Safe Communities*' states that *healthy, inclusive and safe places should be created* (paragraph 91).

Section 9 '*Promoting Sustainable Transport*' states that development *should be focused on sustainable locations that limit the need to travel and offer a genuine choice of transport modes.* (paragraph 103). Development that would generate significant amounts of movement should provide a travel plan (paragraph 111).

Section 11 '*Making effective use of land*' states that '*planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*' (paragraph 117). Decisions should support development that makes efficient use of land. Taking into account amongst other things the need for different types of housing, local market conditions and viability, the capacity of infrastructure, the desirability of maintaining an area's prevailing character or of promoting regeneration and change; and the creation of well-designed, attractive and healthy places. (Paragraph 122)

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

Authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site as long as the resulting scheme would provide acceptable living standards.

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

Planning decisions should ensure that developments function well and add to the overall quality of the area over the lifetime of the development and are attractive as a result of good architecture, layout and appropriate and effective landscaping.

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

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

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

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

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

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

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

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

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 195).

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

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

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

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

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

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

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

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

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

Design states that where appropriate the following should be considered:

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

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

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

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

Other material policy considerations

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

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for

disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

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

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

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

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

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

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

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

Manchester Residential Quality Guidance (2016)

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

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of

successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

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

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

New Cross Neighbourhood Development Framework (July 2015)

The New Cross Development Framework was adopted by the City Council's Executive in July 2015. This document has been prepared to guide development in the New Cross area to ensure a quality of new development that will result in a safe, accessible, vibrant, distinctive and sustainable residential led neighbourhood where people want to live.

The framework in particular seeks to build upon New Cross's location adjacent to the City Centre, Northern Quarter and other key regeneration areas along with close proximity to sustainable transport hubs.

The application site falls within 'Zone A' where an illustrative masterplan has been prepared which demonstrates how the development principles identified within the neighbourhood framework could be delivered. Zone A is particularly identified as having a distinctive historic grid pattern, along with some key Listed Buildings, which help reinforce a sense of place and character to the area.

The framework states that 'Zone A' "*will accommodate a range and mix of residential accommodation in a high quality and well managed environment that will ensure the emergence of vibrant new neighbourhoods of choice*". Such residential developments should respond to the grid pattern for the area along with ensuring active frontages. There should also be amenity space provided as balconies and roof spaces. The document goes on to state that night time uses beyond 11pm will not be supported in order to reflect the residential neighbourhood feel to the area.

In terms of parameters, the application site is anticipated to accommodate a building 17/20 stories on the corner of Rochdale Road and Swan Street, 9-11 storeys in the central part of the site and 7-8 stories on the corner of Swan Street and Cable Street. In terms of development density, the application site straddles two zones – high density at 600-800 dwellings per hectare and medium density at 400-600 units per

hectare. This development provides a development density of 616 dwelling per hectare across a building ranging between part 30, part 12 and part 5 storey.

New Cross Public Realm Strategy (November 2017)

The New Cross Public Realm Strategy was adopted by the City Council's Executive Committee in November 2017 in order to have a coordinated approach to public realm delivery and provide a series of mechanism by which the strategy will be realised including developer contributions. The overarching intention is to support to provision of appropriate public realm and neighbourhood infrastructure that will link New Cross with the wider area, particularly the City Centre.

The document is a material consideration in the planning decision making process and should be given weight in the determination of planning application as an expression of up to date thinking in respect of public realm improvements in the New Cross area.

City Centre Strategic Plan 2015-2018 (March 2016)

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

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

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

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

Manchester Strategy (January 2016)

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

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

Amongst other matters, the vision includes:

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

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

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

There are four objectives in order to achieve this vision:

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

Other legislative requirements

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

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

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

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

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

Smithfield Conservation Area Declaration

Historically, the predominant building type was food markets. Few of these are still standing, and those that are have been converted to other uses. Principal amongst them is the retail fish market, which is now the craft village. This building, significant among indoor markets, was an extension to the original retail fish market constructed during the 1890s.

The Smithfield Market Hall on Swan Street is a two-storey stone building dated 1858. The detail around the main entrances takes its inspiration from the architecture of classical Greece, and each principal semi-circular arch has a bull's head carving on the central large key block. Originally a meat market, it soon became a vegetable market, and in recent years has been a training workshop for the Greater Manchester Youth Association.

No. 29 Swan Street is a Ruskinian Gothic-style building in orange-red brick with stone dressings. It has coloured bricks in the arches over the windows, with projecting stone hood-moulds, and also an overhanging oriel window at first floor level. Some of the stonework is richly carved in a leaf pattern, which forms both horizontal cornice banding and decorating near the windows.

Ancoats Conservation Area declaration

The significance of the Ancoats Conservation Area is derived from the former cotton spinning mills, which dominate the area and are principally located adjacent to the Rochdale Canal and the nearby housing. Historically throughout the area, there have always been commercial and residential buildings. This juxtaposition, and

interlinking of manufacturing, transport and residential uses meant that Ancoats functioned as the first industrial estate in the world.

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

Although the area is dominated by the mill buildings, the Conservation Area also contains other Listed Buildings of differing character. The Victoria Square housing and St Peter's Church represent some of these other key buildings. These buildings have a different style of architecture than the mill buildings in form, scale and appearance. It is considered that these Listed Buildings, along with other older non listed buildings, provide a rich, often contrasting, mix of architectural styles alongside the dominant mill buildings.

Environmental Impact Assessment

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and has considered the following topic areas:

- Consideration of alternatives;
- Townscape and visual;
- Archaeology and heritage;
- Air quality and dust;
- Noise and vibration
- Wind and microclimate
- Daylight, sunlight and overshadowing;
- Transport and access;
- Human health; and
- Socioeconomic.

The Proposed Development is an "Infrastructure Project" (Schedule 2, 10 (b)) as described in the EIA Regulations. The Site covers an area of approximately 0.3 hectares and is above the indicative applicable threshold of 150 residential units. It has therefore been identified that an EIA should be carried out in relation to the topic areas where there is the potential for there to be a significant effect on the environment as a result of the Development.

The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects.

In accordance with the EIA Regulations, this ES sets out the following information:

- A description of the proposal comprising information about its nature, size and scale;
- The data necessary to identify and assess the main effects that the proposal is likely to have on the environment;

- A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, water, air, climate, cultural heritage, townscape and the interaction between any of the foregoing material assets;
- Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects; and
- Summary, in non-technical language, of the information specified above.

It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation.

There will be no unduly harmful cumulative impacts as a result of this development. The impacts relating to the construction phase are temporary and predictable.

The cumulative effects of the operational phases would not be unduly harmful. There would be some minor adverse harm on the effects on daylight and sunlight and minor beneficial impacts with regards to socio-economic facts, and health and wellbeing. There would be some moderate impacts on the wind environment which can be suitably mitigated through the design of the scheme.

Highways, traffic, heritage, visual, water and air quality, are all likely to give rise to minor to negligible cumulative effects. The interaction between the various elements is likely to be complex and varied and will depend on a number of factors. Various mitigation measures are outlined elsewhere within this report to mitigate against any harm that will arise and these measures are secured by planning condition.

Principle of the proposal and the schemes contribution to regeneration

Regeneration is an important planning consideration. The City Centre is the primary economic driver of the City Region and is crucial to its longer term economic success. There is a crucial link between economic growth, regeneration and the provision of new homes and, as the City moves into its next phase of economic growth, further housing must be provided to support and complement it.

The site is the City Centre and Regional Centre for planning and regeneration purposes. New Cross has been identified as an area where high density residential growth can be accommodated and has become a major focal point for regeneration over recent years. Numerous planning permissions have been granted and are under construction which will create an attraction residential area.

373 new homes and 12 serviced apartments are proposed with commercial frontages along Swan Street and Mason Street. The proposal would increase footfall and activity and complement the creation of a new neighbourhood in New Cross. 65% of the accommodation would have two and three bedrooms which would be suitable for and attractive to families. The sizes would be consistent with the City's adopted space standards.

Manchester is the fastest growing city in the UK, having increased its population by 19% since 2001, with the city centre increasing its population from a few thousand in the late 1990s to circa 24,000 by 2011. The population is expected to increase considerably by 2030, and this, together with trends and changes in household formation, requires additional housing. Around 3,000 new homes are required per each year and the proposal would contribute to this need. Providing the right quality and diversity of new housing for the increasing population would be critical to maintaining continued growth and success.

The proposal would provide 373 homes towards the target of 2,500 new homes per annum set out in the 2016 Housing Strategy for Manchester. The high density proposal would use the site efficiently and help to meet the City's housing and employment needs.

This development would create jobs and support the needs of a skilled workforce. The provision of homes close to the employment would reduce commuter distance and help to create a low carbon city. The development would lead to the creation of around 352 construction job years directly, and a further 374 job years as indirect and induced benefits. Together, this employment would create GVA totalling almost £10.8m. A local labour agreement will be agreed with the applicant.

The residents would generate tax income and support jobs and local businesses. The Council Tax income generated by residents is estimated to be in the region of £0.5m every year. The household spend would be approximately £9.86m each year. Assuming 60% of this is within Manchester, it would represent an additional £5.92m of expenditure to the local economy. A significant proportion will be spent locally in food outlets, cafes, bars and restaurants adding vitality to the area.

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

It is considered that the development would be consistent with the regeneration frameworks for this area including the City Centre Strategic Plan and would complement and build upon the City Council's current and planned regeneration initiatives. The proposal is therefore considered to be consistent with the National Planning Policy Framework, and Core Strategy policies H1, H5, SP1, EC3, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1. As such, it is necessary to consider the potential impact of the development.

Consideration of alternatives

A statutory requirement when considering EIA developments is the need to consider alternatives in the development of a proposal. In this instance, no alternatives have been considered as application is supported within strategic frameworks.

Affordable Housing

Policy H8 establishes that new development will contribute to the City-wide target for 20% of new housing being affordable and 20% should be used as a starting point for

calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

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

An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; 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 373 new homes for rent through a Private Rent Sector (PRS)/build to rent model. The delivery of new homes and the regeneration of the New Cross 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 proposes that 19 on site homes (5%) would be made available for affordable private rent within the NPPF definition and would be available at 80% of local market rents.

A viability report, which has been made publicly available through the Council's public access system, supports this level of provision. This has been independently assessed on behalf of the Council and is considered to be an acceptable level of provision.

The benchmark land value of £3,850,000 together with build costs of £64,766,569 are within the range expected based on comparable evidence. The total costs would be £82,580,645 with a profit on cost of 8.5%.

On this basis the scheme could not support a greater contribution than the 19 homes (5%) proposed. This would ensure that the scheme is viable and can be delivered to the quality proposed. The provision would be secured via a legal agreement.

Build to rent schemes are more suited to offer discounted market rent because the apartments can more easily be tenure blind and 'pepper potted' through the development and this would be the case in respect of this particular scheme.

Details have been provided about eligibility and a definition would be included in the legal agreement defining a list of 'key workers' be able to rent one of the discounted homes. The legal agreement will also agree how these key workers will be targeted in order to ensure that it can be accessed by those who require this type of affordable accommodation.

Both the eligibility and the permanent retention of the affordable homes would be enshrined into a legal agreement. Annual monitoring arrangements would also be part of the agreement to ensure that the affordable housing is occupied by the intended users.

Should there be an uplift in market conditions which would allow an increase in the affordable housing contribution beyond the 5%, there would be provisions incorporated to allow the viability to be re-tested. Furthermore, should all or some of the homes within the development be sold on the open market during a specified covenant period, the legal agreement would require the viability to be re-tested to secure an additional contribution should this be viable.

Tall Building Assessment including impact on townscape

One of the main issues to consider is whether the scale of the development is appropriate. At part 31/part 13 storeys, this is a tall building and as such it has been 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 CABI. Historic England's Advice Note 4, 2015 updated the CABI and English Heritage Guidance published in 2007, responding to the National Planning Policy Framework and the increase in proposals for new tall buildings. The Advice Note identifies a series of steps that should be undertaken at pre-application for tall buildings which have been addressed.

A Townscape and Visual Impact Assessment has examined the impact of the proposal on its context. It explores the effect on the established Townscape Character Zones, significant Heritage Assets and views using established methodologies and practices. The impact is considered in isolation and in conjunction with committed development in a Cumulative Assessment. A computer model has provided images which illustrate the impact on agreed views on a 360 degree basis. This allows the full impact of the scheme to be understood.

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

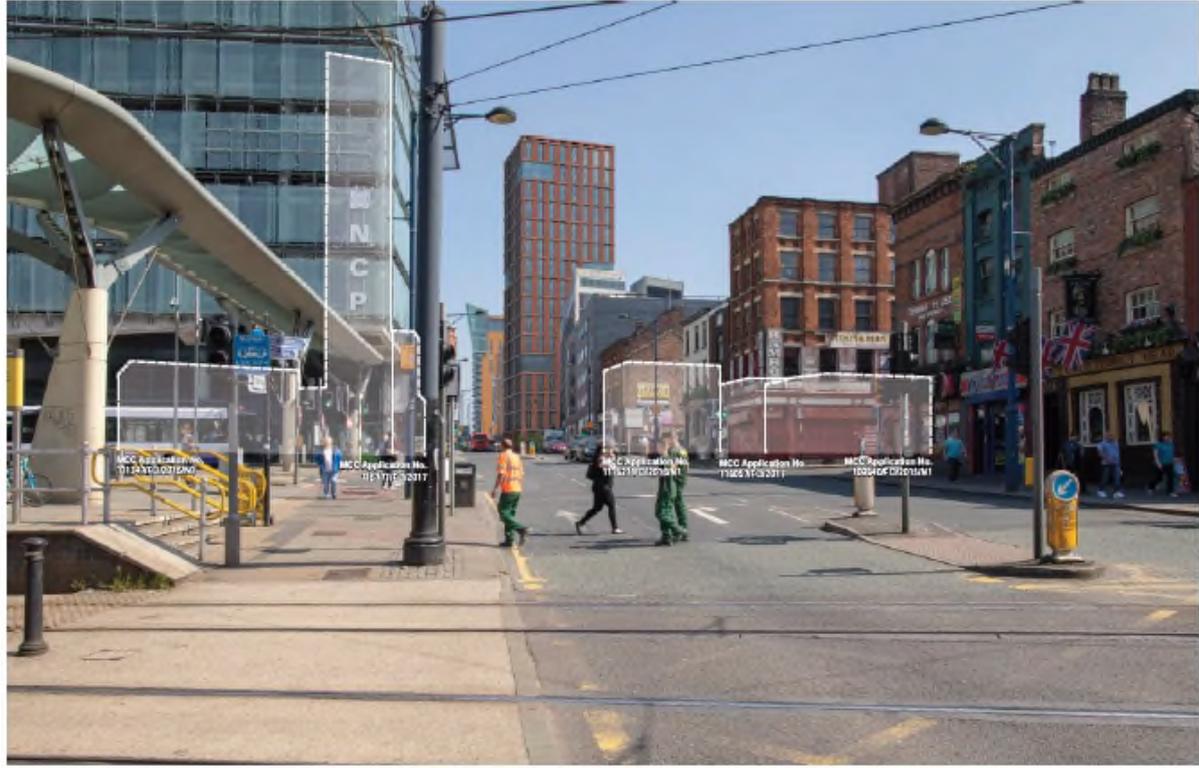
The following six were agreed with Historic England:

View point 1 looks towards the site from within the public realm in the Smithfield Conservation Area. The façade of the old market, cobbled road, brick buildings and Wide street are evident, providing an intimate context. The character of the view changes along the street as the scale of the buildings increase, the street narrows and a more modern style of building comes into view.



The proposal would be clearly visible creating a building on the skyline. This would contrast with the more modest buildings, but the immediate street scene does retain the more subtle increase in building height and scale towards the end of the street scene and this would preserve the more characterful aspects of the conservation area. Overall the proposal would result in a low level of harm and would have a minor impact on the view.

View point 2 looks along Shudehill towards the corner of Rochdale Road/Swan Street in front of the Shudehill transport interchange. The view is dominated by the transport infrastructure as well as the glass frontage of the MSCP car park and the mix of architectural styles on the opposite side of the road. The view terminates on Skyline tower with its distinctive glass atrium.



The tallest element of the proposal would dominate the view alongside Skyline. The scale of the proposal would be proportionate to the vista and complement the modern buildings within this view. Overall, it is considered that the proposal on this view point will be negligible.

View point 3 looks towards the site from Corporation Street. It is dominated by the inner relief road and by the large scale New Century and CIS tower to the right and derelict small scale buildings to the left. This view has changed with the construction of Angel Gardens. Skyline can also be seen. The view is considered to be contemporary in terms of the characteristics of the townscape.



The proposal would clearly be visible along the inner relief road and would sit alongside the Angel Gardens development. Although distinctive elements, they would appear as a single mass from this view point. The proposal would contribute positively to the range and quality of modern architecture in this location. Overall it is considered that there would be minimal impact on this view given the scale and style of buildings in this location.

View point 4 looks from Thompson Street towards the site. The chimney of the former police and ambulance station (grade II) and the scale of the Skyline building is clearly visible. The remainder of the view is of low level built form and cleared sites. The scale of Angel Gardens is evident.



The proposal would add to the cluster of large scale developments which are evident in this view. It would complement the skyline alongside Angel Gardens and Skyline. This view could be subject to further change as the area develops. There would be an impact on the listed building, however, the distinctive chimney would still be evident.

View point 5 looks along Swan Street towards the site. The Smithfield Conservation Area is evident to the left and the Grade II listed former bank building is to the right. The view shows the 2-3 storey buildings that are typical of Swan Street, which are in varying degrees of repair. To the rear of the view is Angel Gardens.



The proposal would respond to the scale of new developments at the junction of Swan Street and Rochdale Road and would be a positive addition to the street scene. The more sensitive buildings such as the listed building and non-designated heritage assets within and opposite the conservation area would remain fully legible within the view of the conservation area.

View point 6 looks across the River Irwell and adjacent to Cathedral Gardens. Chethams school of music is to the left of the view with Manchester Cathedral providing a landmark to the right. The skyline includes a diverse range of building forms.



The proposal would appear amongst the cluster of buildings of scale towards the rear of the view. It would be notably lower in height than the CIS tower and would contribute to a step down of the skyline profile between the CIS tower and the surrounding context. The proposal would have a limited impact on the heritage assets in this view and add positively to the townscape.

This would be a large and significant development within some of these key views. It would transform its immediate context and New Cross. The 31 storey building would be at the junction of Rochdale Road and Swan Street where the NDF anticipates the tallest building would be. The assessment concludes that the proposal would have a positive impact on the townscape and the cluster of tall buildings.

A fundamental requirement of the NDF is to increase scale and density and to create active street frontages. The impact of the height and scale has been tested properly and those impacts would not be unduly harmful. In the majority of instances, the study concludes that the impacts would be positive. The high quality, distinctive development, would result in an acceptable scheme.

The development would be seen in some instances next to heritage assets. However, their significance and setting would remain evident and any harm that does arise is considered to be modest and outweighed by the substantial public and regeneration benefits that the development would deliver.

Impact of the historic environment and cultural heritage

The site is not in a conservation area and the buildings on site are not listed. The site is opposite the Smithfield Conservation Area, the Ancoats Conservation Area is directly east of the site (170 metres), the Stevenson Square Conservation Area (170 metres south east) and the Shudehill Conservation Area (80 metres south west).

The proposal does change the setting of the following listed buildings:

- the former police and ambulance station (Grade II);
- No 8 Cable Street (Grade II);
- Former Midland Bank (Grade II);
- Crown and Kettle Public House (Grade II);
- Victoria Square (Grade II)'
- 29 Swan Street (Grade II);
- Smithfield Market 39 to 47 Swan Street (Grade II);
- Express Building (Grade II*);
- New Century House (Grade II);
- CIS building (Grade II)
- Redfern Building (Grade II);
- Holyoake House (Grade II); and
- Manchester Cathedral (Grade I).

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

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

The main listed and heritage assets affected by the proposal are 39 to 47 Swan Street and 29 Swan Street. The other listed building identified above, together with the 19th Century terrace, form part of the wider character and views of the proposal and have been considered within the townscape and visual impact assessment.

The Smithfield Market Hall 39-47 Swan Street' is a two-storey stone building dated 1858. The detail around the main entrances was inspired by classical Greece architecture, and each principal semi-circular arch has a carved bull's head on the central large key block. It was originally a meat market, then a vegetable market, and in recent years has been a training workshop for the Greater Manchester Youth Association.

No. 29 Swan Street is a Ruskinian Gothic-style building in orange-red brick with stone dressings. It has coloured bricks in the arches over the windows, with

projecting stone hood-moulds, and an overhanging oriel window at first floor level. Some of the stonework is richly carved in a leaf pattern, which forms both horizontal cornice banding and decorating near the windows.

The Smithfield Conservation Area is directly opposite the site and was once dominated by food markets. Those that remain have been converted to alternative uses and the former fish market is now a craft village. The conservation area is defined by its remaining historic street pattern and the former market uses together with a variety of building, types, style and scale. The Swan Street frontage, which is the main interface with the application site, is a coherent frontage of historic buildings of varying heights with views from Swan Street into the heart of the conservation area.

The Shudehill conservation area is to the south west between the Cathedral and Smithfield conservation areas. It includes the only evidence of the medieval street pattern when the town expanded beyond its original boundaries of Hanging Ditch and the Cathedral. It contains large buildings to the east of Corporation Street and on Wither Grove constructed during the 20th Century. The area is largely defined by the unified way in which buildings were designed and grouped together giving each street a coherence and identity. In addition, the area is dominated by the linear form of Shudehill.

The Ancoats conservation area is the west of Oldham Road. Its character is largely defined by the strong linear enclosure of its roads. The principal buildings are the former cotton mills adjacent to the Rochdale Canal and their relationship with more modest housing and warehouse uses. Its older buildings are red brick ranging between 2 and 6 storeys with slate pitched roofs.

The Stevenson Square conservation area is adjacent to the Smithfield conservation area. It contains many Victorian buildings most of which were historically related to the cotton mills.

New Cross is not in a conservation area but has some social and historic significance. It has experienced cycles of growth and decline. In the 18th Century it was a dense industrial area but its decline 100 years later left the area underused and largely derelict. Following mass clearance, commercial development occurred from the mid-1950s. The important historic elements are its street pattern and building lines, the remnants of the historic building grain, the dynamic and varied skyline incorporating tall historic towers and chimneys (particularly the Goulden Street police/fire station) and individual and distinct buildings with large footprints.

There is a terrace of four storey 19th Century properties along Swan Street that are considered to be non-designated heritage assets and the low rise 20th Century commercial building with a distinctive curve which occupies the site is a non-designated heritage asset. The New Cross NDF envisaged that this building would be demolished to allow its objectives to be delivered.

A heritage statement which considers the impact of the development on the historic environment and key views concludes that in most cases, its impact would cause a low level of harm and in some instances it would be minor beneficial.

The loss of the heritage asset would erode an understanding of the areas evolution and of the commercial development in New Cross. However, the building has been significantly altered over the years, with windows being replaced, diminishing much of its character and architectural quality. Given its age and integrity the harm is minimal.

The four storey terraced properties on Swan Street help to preserve the setting and scale of the buildings within the Smithfield conservation area opposite. The proposal would rise behind the terraces in certain views and would be a dominant element and would cause some harm to them and to the conservation area and the listed buildings located within it.

The level of harm would be low and would be mitigated through the design of the proposal. The tower would be set back from the corner of Rochdale Road/Swan Street and the connecting block at 5 storeys would help to minimise the overall impact on the terrace and provide a sense of space. The use of red brick materials with punctuated glazing reflects the materials found within the area.

The tower would relate well to the cluster of tall buildings around NOMA and Angel Gardens and would add to the variety of scale and design in an area that is undergoing significant positive change.

The proposal would be viewed within the linear road network of the Shudehill conservation area. These views contain tall buildings around the Co-op estate and Angel Gardens. Views here have already been altered through transformational change including tall buildings and transport infrastructure. The proposal would add positively to the urban townscape.

The impact on the Ancoats conservation area would be minimal with only linear views along Swan Street/Great Ancoats Street and from the rear towards the western edge of the conservation area. There would not be any harm to the setting of the conservation area.

There would be restricted views from the junction of Oldham Street and Great Ancoats Street within the Stevenson Square conservation area where the development would add to the modern buildings in this view.

The proposal responds positively to the grid format of the New Cross area providing active frontages at street level. The high quality architecture and materials and the enhanced public realm would be a positive addition to New Cross and to the adjacent conservation areas. .

The overall level of harm that would result from the loss of the building on site, the impact on the setting of the adjacent terrace properties and the Smithfield conservation area and its listed buildings would be low. The harm would be less than substantial as defined by paragraph 196 of the NPPF. These impacts are mitigated by the high quality and distinctive architecture that the building would contribute to the local area together with the wider regeneration benefits in terms of new homes, improved connectivity and high quality public realm. This mitigation provides the

public benefits required by the paragraph 196 of the NPPF which outweighs any harm which arises. These public benefits will be considered in detail below.

Impact Assessment

The proposal would result in some instances of low level adverse impact as set out above but the impacts are considered to result in less than substantial harm. In these circumstances, it is necessary to assess whether the development suitably conserves the significance of the heritage assets, with greater weight being attached with the greater significance of the asset (paragraph 193 NPPF). Any harm should be outweighed by the public benefits that would be delivered, including whether it would secure the optimum viable use in accordance with the guidance provided in paragraph 196 of the NPPF.

The proposal would regenerate a prominent gateway site within New Cross. The current buildings do make a contribution to the street scene and the evolution of New Cross. The New Cross NDF does assume that the site would be redeveloped as part of the regeneration of the area.

This proposal would deliver a viable and active use in a high quality building near to the heart of the City Centre. 373 new homes would be provided, many of which would be suitable for families. At 31 and 13 storeys, the buildings would become a landmark feature and add to the cluster of large buildings in the area. The approach to design, scale, massing and materials used would respond positively to the context.

The proposal would result in a low level of harm to the setting of conservation area near to the site and some of the nearby listed buildings. This low level of harm must be balanced against the opportunity that the redevelopment of the site presents. In overall terms, views of the site would improve as a result of the proposal.

Mitigation and public benefits are derived from the quality of the architecture, the regeneration benefits which would come from delivering 373 new homes, the creation of a significant number of jobs and the improvements to the local context.

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

Impact on Archaeology

An archaeological assessment notes that archaeology may exist underground and that the existing building on site have some local significance. GMAAS consider that it would be appropriate to undertake a programme of works on any remains and ground excavations to record the archaeology which will be affected by the development. In addition, they recommend that a building survey is carried prior to the demolition of the existing building. Following completion of the works, and

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

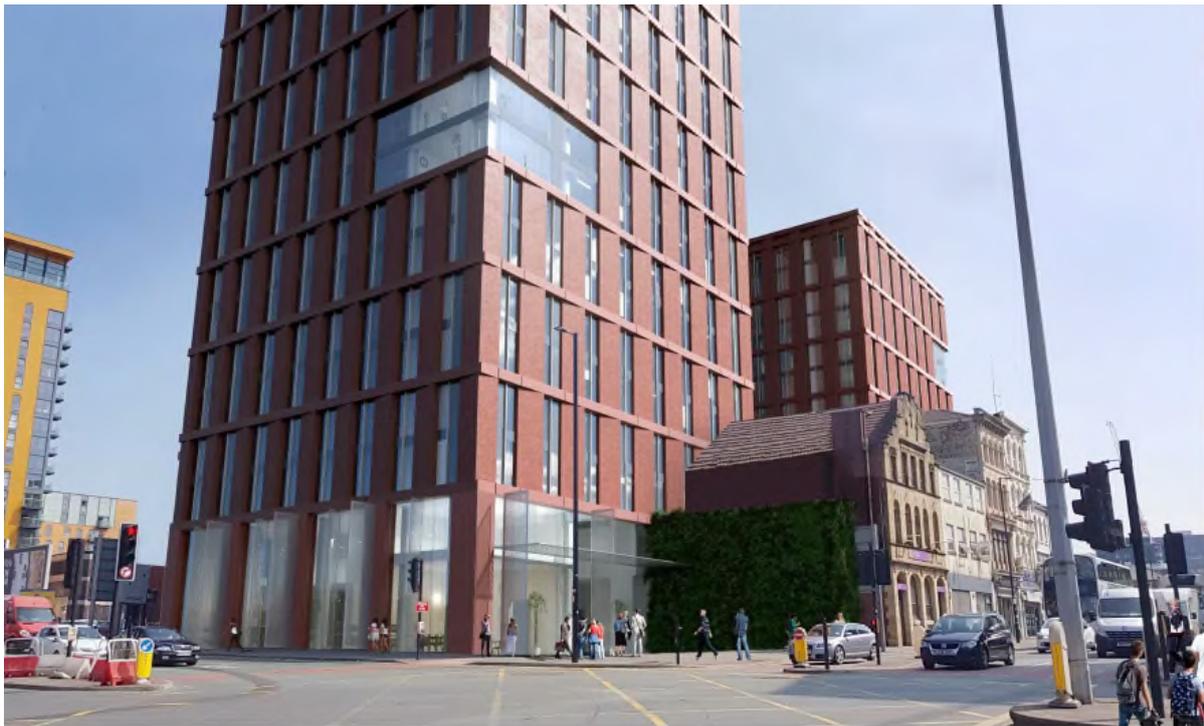
A condition should be imposed on the planning permission to this effect in order to satisfy the requirements of policy EN3 of the Core Strategy and saved policy DC20 of the UDP.

Layout, scale, external appearance and visual amenity

The development would be a rectangular block with road frontages to Rochdale Road, Cable Street and Mason Street. The NDF provides details of how this block should respond to its strategic position along Rochdale Road and the 'titled bowl' towards the centre of the NDF area.

The tallest element is at the junction of Rochdale Road/Swan Street/Shudehill. The smaller tower, is located on the corner of Mason Street and Cable Street.

The entrances to the tallest tower would be located off an area of public realm at the corner of Swan Street and Rochdale Road and the smaller tower off Mason Street. This would help to create active frontages as set out in the NDF area.



Main entrance to the western tower on the corner of Swan Street and Rochdale Road

The entrance to the car park, and cycle areas is off Cable Street. The car park includes a drop off zone for residents moving in/out of the building. There would be retail units on the ground floor of both the tower elements providing active street frontages to Rochdale Road, Cable Street and Mason Street. There would be 12 serviced apartments, a resident's lounge, a cycle store and a refuse storage area on the mezzanine level.

The NDF recognises the prominence of the corner of Rochdale Road and Swan Street and specifies a tall building. The NDF also proposes that development should decrease in height as it moves further into New Cross where the Marriot Hotel and Stay City apartments are 9 storeys.

The proposal is taller than the NDF envisaged but the retention of the buildings on Swan Street reduces the amount of land available for development. The overall density would be within that prescribed in the framework. The tall building would respond positively to its prominent position along Rochdale Road and Swan Street and would complement the tall building at Angel Gardens. This increase in scale is a specific design response to the land that is available for development and the prominence of the site. The smaller tower creates the transition to the lower buildings in the centre of the NDF.



View of the building looking from Rochdale Road looking towards Shudehill (Marriott hotel to the left)

The appearance of the development would reinforce the geometry which is found elsewhere in New Cross. It would have a double storey order comprising glazing and red brickwork. A horizontal etched concrete element reinforces this two storey module. Glazed 'cut outs' would be provided on a number of floors that wrap around

the corners of the building. These cut outs provide large glazed areas which provide interest of the elevations and distinctiveness to the building.



View looking from Shudehill towards Rochdale Road (Skyline in the background)

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

Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the standard of design and architectural quality are maintained through the process of procurement, detailed design and construction. The design team recognises the high profile nature of the proposed use.

The applicants acknowledge that the market is competitive and the quality of the development is paramount. A significant amount of time has been spent developing and carefully costing the design to ensure that the scheme as submitted can be delivered. The applicant is keen to commence work on site as soon as possible.

As part of the design process, the proposal has been subject to a Places Matter! review. The review was able to provide constructive feedback on the proposal and allow the design and architecture of the scheme to be independently tested.

The applicants design team are highly experienced and have designed a development that is informed by its context as well as drawing upon their experience and best practice.

The design is considered to be of sufficient quality due to:

- Well considered design detailing and choice of materials;
- High quality materials and construction technology;
- Spacious layouts with good quality natural light, ventilation and acoustics;
- Active ground floor facades, public realm and welcoming spaces; and
- A variety of amenity spaces including an expansive roof garden.



Glazed cut outs and window reveals



Main entrance to the western tower off Sawn Street/Rochdale Road

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

The entrance to the building at Rochdale Road and Swan Street would be enhanced by the creation of a new area of public realm. This would include street trees and a living green wall and lighting. Angular, granite blocks would form the hard landscaping with three mature trees and informal seating. This would provide a sense of arrival and respond positively to public realm in New Cross area.



Street trees would be planted on Rochdale Road and Mason Street footways should services allow.



An outdoor roof terrace would be created for residents on the roof of the lower, central element which would include paved areas, timber seating, tree and low level planting. A green roof would improve the sustainability of the building.

The development would contribute to the improvement of public realm in New Cross. Footways around the perimeter of the site would be improved and trees would be planted if possible. Funding would be provided as part of the legal agreement towards a crossing on Swan Street and wider public realm improvements within New Cross.

Impact on Ecology

An ecological appraisal, including a bat inspection, concludes that the development would not result in any significant or unduly harmful impacts to local ecology including bats, and Greater Manchester Ecology Unit concur with the findings. An informative would highlight that should bats be found during the works, they should cease until a suitably qualified individual has inspected the site.

The landscaped roof garden and street trees would enhance green infrastructure and biodiversity at the site and in the area in line with policy EN9 of the Core Strategy.

Effects on the Local Environment/ Amenity

(a) Sunlight, daylight, overshadowing and overlooking

An assessment has been undertaken to establish the likely significant effects of the proposal on the amount of daylight and sun light received by properties which surround the site. Consideration has also been given to any instances of overlooking which would result in a loss of privacy. To assess the surrounding existing properties, the BRE guidelines have been used to provide a method for assessing daylight – Vertical Sky Component (VSC) and No sky Line (NSL) methods. For the assessment of sunlight, the approach considers the Annual Probable Sunlight Hours (APSH) for a reference point on a window (i.e. if a window point can receive at least 25% APSH, then the room should still receive enough sunlight).

The properties which were assessed are as follows:

- Angel Gardens;
- Marriot Hotel;
- Proposed Stay City development at Cable Street (extant planning permission 118057 – currently under construction);
- 40 Swan Street – proposed residential development (extant planning permission 109840)

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

A summary of the impacts is detailed below:

Daylight

Angel Gardens

507 windows serving 359 rooms were assessed. For VSC, 394 (78%) windows meet the BRE criteria. Of the windows affected, 59 would experience an alteration between 20-30% and the remaining 54 would experience alterations between 30-40%.

For NSL, 294 (82%) out of 359 rooms meet the BRE criteria. 43 rooms would experience an alteration between 20-30% and a further 16 would experience an alteration between 30-40%. The remaining 6 rooms would experience an alteration in excess of 40%.

The proposal would have a minor adverse impact on this development and this would not be significant given the City Centre context. The windows would retain an average of 32% VSC and all windows would retain at least 20% VSC (with the

exception of two windows). This is considered high for this location. With regards to NSL, 89% of window would retain a direct view of the sky.

40 Swan Street (proposed residential development)

90 windows serving 80 rooms were assessed. For VSC, 10 (11%) of the 90 windows assessed would meet the BRE criteria. One window would experience alterations between 20-30%, 13 would experience an alterations between 30-40% and the remaining 66 an alteration in excess of 40%.

The impact on the windows in this development is greater as they have recessed windows and balcony areas. As such, it is necessary for any neighbouring development to avoid impacts on these windows.

For NSL, 6 (8%) of the 80 rooms would meet the BRE criteria. A further 13 alterations between 20-30% and the remaining 55 alterations in excess of 40%.

The proposal would have a moderate adverse impact once construction is complete. However, it should be noted that the baseline conditions of these rooms and windows is already low given their deep recessed nature and the fact that many of the rooms are single aspect living spaces. As such, the proposal has a disproportionate impact and any development, even at a lower scale, would have similar impacts.

Marriot Hotel

A total of 88 windows serving 80 rooms were assessed. For VSC, 8 (9%) would meet the criteria and the remaining 80 would experience an alterations in excess of 40%.

For NSL, 11 (14%) would meet the BRE criteria. A further 11 would experience an alteration between 20-30%, and 3 alterations between 30-40%. The remaining 55 would experience alterations in excess of 40%.

The impact would be moderate adverse, but the hotel residents would not be as sensitive to the daylight changes. Its deeply recessed windows would result in most developments affecting daylight availability. The NDF anticipated a development of scale at this site which would sit alongside lower scaled development.

Cable Street (proposed Stay City)

A total of 39 windows servicing 39 rooms were assessed. For VSC, 13 (33%) would meet the criteria. 10 would experience an alteration between 20-30%, 7 an alteration between 30-40% and 9 windows an alteration in excess of 40%.

For NSL, 19 (49%) would meet the criteria. 5 would experience an alterations between 20-30%, 1 would experience an alteration between 30-40% and the reaming 14 an alteration in excess of 40%.

There would be a moderate adverse impact but the conditions are already low. The windows and room layout means that it is already difficult for a large amount of light to penetrate these spaces. In addition, given the nature of the use of the building as

an aparthotel, the occupants of the building will not be as sensitive to daylight changes.

Sunlight

Angel Gardens

All of the 285 windows were assessed meet the criteria.

40 Swan Street

All of the 15 windows were assessed meet the criteria.

Cable Street

The window assessed would meet the criteria.

Overlooking

There will be the following privacy distance between the development and surrounding properties:

- Angel Gardens – 32 metres
- Marriot Hotel – 11 metres
- Stay City – 16 metres
- 40 Swan Street – 12 metres
- 49/53 Swan Street – 35 metres

Such distances are standard in the area and the proposal is separated from these properties by the existing road network. Apart from Angel gardens and 40 Swan Street, the other properties are in commercial use. The NDF anticipated that the residential blocks would have the impacts but these would not be unduly harmful.

It is not considered that there would be any overlooking to 58-68 Swan Street as their rear elevations are blank. The development would rise behind them but would not cause any direct overlooking into any accommodation.

The Bank of Baroda have raised concerns about the impact on their site particularly in respect of its future development. In the original submission the eastern tower had habitable rooms which directly overlooked their site. The NDF anticipated that the Bank of Baroda site would form part of a comprehensive development of this block. It has not been possible to acquire the site and the scheme has been modified to minimise overlooking and not preclude its future development.

Habitable rooms windows up to the fourth floor have been removed but the remainder of the upper floors would retain them. This would allow the Bank of Baroda site to be developed to a scale similar to the adjacent properties at 58-68 Swan Street. Any incident of overlooking and loss of light would be minimised by the removal of the habitable rooms.

The objection received to the second notification process would prefer to have the windows removed up to 7 floors. It is considered that the removal of the windows up to level 4 is appropriate and allows viable development at an appropriate scale.

(b) Wind Environment

A microclimate assessment concludes that there would be no adverse impacts on the pedestrian activity and safety in and around the site. All routes and entrances would be suitable for pedestrian access. The impact of the building would be mitigated by the incorporation of physical measures, materials, trees and landscaping. The conditions in and around would be safe for all.

(c) TV reception

A TV reception survey has concluded that there is likely to be minimal impact on digital television services or digital satellite television services but should any arise it could be mitigated through antenna upgrade or realignment of the transmitter. A condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

(d) Air Quality

The application is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of vehicular emissions. An air quality report notes that during the construction phases there could be impact from dust, earth works/construction and vehicle emissions. This would be minimised through good practice which should remain in place for the duration of the works and be included in the list of planning conditions.

The main impacts during the operational phases would be from vehicles and servicing requirements. The applicant has taken a balanced approach to onsite parking given the close proximity to public transport. There would be 374 cycle spaces (100% provision) and 3 on site electric car charging points.

A mechanical ventilation system would ensure that air intake to the apartments would be fresh and free from pollutants. Environmental Health concur with the conclusions and recommendations within the air quality report. The proposed mitigation measures would be secured by planning condition and the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there will be no detrimental impact on existing air quality conditions as a result of the development.

Noise and vibration

A noise assessment identifies the main sources of noise would be from: plant and construction activities. The acoustic specification would limit noise ingress from external noise, particularly from nearby roads.

Noise levels from the construction would be acceptable provided that the strict operating and delivery hours are adhered to along with the provision of an acoustic

site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a planning condition.

The main source of noise to the apartments would be from traffic and there could be noise from the ground floor commercial space. A mechanical ventilation system and appropriate glazing would ensure that noise levels within the apartments are acceptable. The operational hours of the commercial units should be restricted to protect amenity within the apartments. The operating hours of the roof terrace is agreed in order to minimise impacts on residential amenity.

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

Waste management

Each apartment would have separate storage areas for refuse, recyclable and compostable materials. The waste would be taken to the designated waste stores.

The main refuse store would be on the ground floor mezzanine level. A platform lift would allow access for all residents to take their waste to this area. There would be a smaller area on the ground level to allow the bins to be moved to Cable Street for collection. The refuse store would be immediately adjacent to the loading bay.

The waste stores would meet Council standards. There would be a 338 sqm capacity refuse store on the mezzanine with 92 x 1100 litre Eurobins. The store at ground level would be 42 sqm and have space for 10 x 1100 litre Eurobins.

The commercial units would store waste within the units. Each would have the following waste requirements:

Unit 1 (Rochdale Road)

General refuse 1 x 1100 litre (3 x 1100 litre if unit provides food)
Paper 1 x 1100 litre (2 x 1100 litre if unit provides food)
Mixed recyclables 1 x 1100 litre (2 x 1100 litre if unit provides food)

Unit 2 (Mason Street)

General refuse 2 x 1100 litre (5 x 1100 litre if unit provides food)
Paper 1 x 1100 litre (3 x 1100 litre if unit provides food)
Mixed recyclables 1 x 1100 litre (3 x 1100 litre if unit provides food)

Fume extraction

Fume extraction would be required for the commercial units if they are to be occupied by a food and drink use. A suitable scheme could be integrated into the scheme and a condition should require the details of fume extraction to be agreed.

Accessibility

All main entrances would have level access. The residential entrances avoid pinch points with a low level reception desk and other measures to help wheel chair users. All upper floors are accessible by lifts and internal corridors would be a minimum of 1500mm. All apartments have been designed to space standards allow adequate circulation space. There would be parking space for disabled people.

Flood Risk/surface drainage

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

The site is within a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and from the sewer network. An increase in surface water run-off and/or volume from new developments may exasperate local flooding problems.

A drainage statement has been considered by the Council's flood risk management team and consideration should be given to how the drainage systems would prevent surface water run off along with an examination of the introduction of sustainable urban drainage principles and their future management. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that the approval, verification and monitoring of the drainage forms part of the conditions of the planning approval.

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

A transport statement notes that all sustainable transport modes are nearby with Victoria train station and Shudehill Metrolink station within 10-minute walk. The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

The 27 parking spaces (including 3 disabled parking spaces and three electric car charging points) is considered to be acceptable in light of the highly sustainable location. The level is in accordance with the Core Strategy and the Residential Quality Guidance which states that the constraints of a site and the proximity of public transport should be a key consideration when considering onsite provision. Mobility scooters could be parked in safe and secure areas in the car park.

There would be 374 cycle spaces in a dedicated secure cycle store. A robust travel plan would support the ongoing travel needs of residents including whether any offsite parking is required. A condition should ensure the travel plan is monitored.

A loading bay would be provided on Cable Street dedicated to the servicing of the development.

A legal agreement would fund a pedestrian crossing on Swan Street to ensure the residents can safely cross Swan Street. Traffic Regulation Orders would be required on Swan Street, Cable Street and Mason Street to preclude parking.

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

Designing out crime

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

Ground conditions

A ground conditions report provides notes that further gas monitoring is required to inform the final remediation strategy. A verification report should confirm that the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Public opinion

Comments have been received regarding the scale and appearance of the development as well as its impact on surrounding developments such as Angel Gardens and the Bank of Baroda. This report deals with these matters in detail.

The design and appearance is of a high quality and responds to the location and fulfils the requirements of the NDF. The reveals, detailed masonry and glazing creates a well-considered façade. A condition would ensure that the high quality appearance is delivered.

The serviced apartments would add to the accommodation offer. .

It is noted that there is concern about the impact of the construction activities on surrounding developments. Health and safety and party wall issues are satisfactorily dealt with by other legislation. However, there will be a construction management plan recommended as part of this planning permission which will seek to minimise the impact of the development with regards to highways, dust and noise.

Cumulative impacts

A cumulative impact assessment has been undertaken within the Environmental Statement. This has considered whether there are any significant major, moderate, minor or negligible impacts on the environment during the construction and operational phases of development.

For the construction stages, the assessment has concluded that there will be some moderate to minor impacts from the construction process of neighbouring residential properties with the effects being no significant provided appropriate mitigation is put in place.

There would be some minor effects on the highway network to local streets and key roads during construction and in operational but are of local significance only.

The cumulative impacts with regards to the designated and non-designated heritage assets are set out in detail above and are minor with no cumulative impacts.

All impacts on views, visual setting and townscape would be negligible to minor adverse with the main effects being on views and setting of the Smithfield conservation area along Swan Street and the market hall.

There will be moderate impacts on water resources, moderate to beneficial impacts on the local population and negligible impacts on human health.

It is considered that there will be no unduly harmful cumulative impacts as a result of this development. The impacts relating to the construction phase are temporary and predictable.

The cumulative effects of the operational phases would not be unduly harmful. There would be some minor adverse harm on the effects on daylight and sunlight and minor beneficial impacts with regards to socio-economic facts, and health and wellbeing. There would be some moderate impacts on the wind environment which can be suitably mitigated through the design of the scheme.

Highways, traffic, heritage, visual, water and air quality, are all likely to give rise to minor to negligible cumulative effects. The interaction between the various elements is likely to be complex and varied and will depend on a number of factors. Various mitigation measures are outlined elsewhere within this report to mitigate against any harm that will arise and this measures are secured by planning condition.

Sustainability

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

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

Aerodrome safeguarding

Aerodrome safeguarding have found no conflict with any safeguarding criteria. An informative of the planning approval should inform the applicant about the use of cranes during the construction period.

Legal Agreement

The proposal would be subject to a legal agreement under section 106 of the Planning Act to secure money for the provision of offsite affordable housing in the City as explained in the paragraph with heading “Affordable housing”.

In addition, in the interest of highway and pedestrian safety, monies will also be secured for the provision of a pedestrian crossing to allow safe movement of people across Swan Street together with the provision of an extensive area of TROs around the application site.

Conclusion

The proposal would have a positive impact on the regeneration of this part of the City Centre and would contribute to the supply of high quality housing. Active frontages and high quality façades would make a positive contribution to the city scape. The building would be of a high level of sustainability and high quality materials.

The buildings on site provide some positive benefits as an example of a low rise commercial building. However, the New Cross NDF envisaged that the site would be developed as part of the regeneration of New Cross. This capacity for change should enhance the townscape particularly the corner of Rochdale Road and Swan Street.

There would be a modest impact on the setting of the adjacent conservation, listed buildings and non-designated heritage assets. These are low level impacts that are outweighed by the public benefits that the scheme would deliver.

There would be some localised impacts on adjacent buildings particularly Angel Gardens and the adjacent low rise buildings on Swan Street. The scheme has been amended to minimise overlooking to the Bank of Baroda site and not prevent its redevelopment. The impacts are not unusual in this type of urban context.

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

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person’s home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved 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 subject to the signing of a section 106 agreement in respect of onsite affordable housing and public realm improvements in the New Cross area.**

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the appearance of the building along with other matters arising from the consultation and notification process such as overlooking. The proposal is considered to be acceptable and therefore determined within a timely manner.

Reason for recommendation

Conditions to be attached to the decision

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

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

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

Drawings

10133-SHP-Z0-XX-XP-A-B5D8-G100-001, 10133-SHP-Z0-XX-XP-A-B5D8-G100-002, 10133-SHP-Z0-EN-XE-A-B5D8-G100-0001, 10133-SHP-Z0-ES-XE-A-B5D8-G100-0001, 10133-SHP-Z0-EE-XE-A-B5D8-G100-0001, 10133-SHP-Z0-EW-XE-A-B5D8-G100-0001, 10133-SHP-Z0-EN-XE-A-B5D8-G100-0002, 10133-SHP-Z0-ES-XE-A-B5D8-G100-0002, 10133-SHP-Z0-EE-XE-A-B5D8-G100-0002, 10133-SHP-Z0-EW-XE-A-B5D8-G100-0002

10133-SHP-Z1-00-PL-A-B5D8-G200-0001, 10133-SHP-Z1-M0-PL-A-B5D8-G200-0001, 10133-SHP-Z1-01-PL-A-B5D8-G200-0001, 10133-SHP-Z1-02-PL-A-B5D8-G200-001, 10133-SHP-Z1-03-PL-A-B5D8-G200-0001, 10133-SHP-Z1-05-PL-A-

B5D8-G200-0001, 10133-SHP-Z1-06-PL-A-B5D8-G200-0001, 10133-SHP-Z1-07-PL-A-B5D8-G200-0001, 10133-SHP-Z1-09-PL-A-B5D8-G200-0001, 10133-SHP-Z1-11-PL-A-B5D8-G200-0001, 10133-SHP-Z1-13-PL-A-B5D8-G200-0001, 10133-SHP-Z1-14-PL-A-B5D8-G200-0001, 10133-SHP-Z1-15-PL-A-B5D8-G200-0001, 10133-SHP-Z1-17-PL-A-B5D8-G200-0001, 10133-SHP-Z1-23-PL-A-B5D8-G200-0001, 10133-SHP-Z1-27-PL-A-B5D8-G200-0001, 10133-SHP-Z1-RF-PL-A-B5D8-G200-0001

10133-SHP-Z1-01-PL-A-B5D8-G200-0002, 10133-SHP-Z1-02-PL-A-B5D8-G200-0002, 10133-SHP-Z1-03-PL-A-B5D8-G200-0002, 10133-SHP-Z1-06-PL-A-B5D8-G200-0002, 10133-SHP-Z1-14-PL-A-B5D8-G200-0002

10133-SHP-Z1-AA-SC-A-B5D8-G200-0001, 10133-SHP-Z1-BB-SC-A-B5D8-G200-0001, 10133-SHP-Z1-CC-SC-A-B5D8-G200-0001, 10133-SHP-Z1-DD-SC-A-B5D8-G200-0001

10133-SHP-Z1-EN-EL-A-B5D8-G200-0001, 10133-SHP-Z1-ES-EL-A-B5D8-G200-0001, 10133-SHP-Z1-EE-EL-A-B5D8-G200-0001, 10133-SHP-Z1-EW-EL-A-B5D8-G200-0001

10133-SHP-Z1-XX-3D-A-B5D8-G200-0001, 10133-SHP-Z1-XX-3D-A-B5D8-G200-0002, 10133-SHP-Z1-XX-3D-A-B5D8-G200-0003

10133-SHP-Z1-TY-DE-A-B5D8-G200-0001, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0002, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0003, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0004, 10133-SHP-Z1-TY-DE-A-B5D8-G200-0005

10133-SHP-Z1-TY-PL-A-B5D8-F200-1211, 10133-SHP-Z1-TY-PL-A-B5D8-F200-1221, 10133-SHP-Z1-TY-PL-A-B5D8-F200-2411, 10133-SHP-Z1-TY-PL-A-B5D8-F200-2421, 10133-SHP-Z1-TY-PL-A-B5D8-F200-3611, 10133-SHP-Z1-TY-PL-A-B5D8-F200-3621

10133-SHP-Z1-XX-PL-A-B5D8-Z100-001

All the above drawings were stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018

Design and access statement (10133-SHP-Z1-RP-B5D8-DAS 0001) stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018

drawings M80123_101 Rev D and M80123_102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 27 November 2018

Drawing 10133-SHP-Z1-M0-PL-A-B5D8-G200-0001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 29 January 2019

Supporting Information

Addendum Environmental statement (including construction, historic environment, townscape and visual impact, noise and vibration, sunlight and daylight, wind and

microclimate and air quality) stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018

Environmental statement (including construction, historic environment, townscape and visual impact, noise and vibration, sunlight and daylight, wind and microclimate and air quality) stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018

Tall building assessment, statement of community involvement, Environmental Standards statement and energy statement, TV reception survey report, crime impact statement, ventilation strategy, site waste management strategy, ground conditions report, flood risk assessment and drainage strategy, ecological assessment, travel plan and transport statement, environmental statement, townscape and visual analysis, heritage and archaeology report, wind microclimate assessment, noise and vibration report, air quality assessment, daylight and sunlight and overshadowing, socio-economic statement, transport statement and health impact assessment stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018

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

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

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

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

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

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

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

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

- archaeological building survey at HE level 2.
- Following demolition of the existing building(s) to slab level
- targeted archaeological evaluation through machine assisted trial trenching
- (where justified by the evaluation results) open area excavation

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

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

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

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

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

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

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

5) Notwithstanding the details submitted on the 27 September 2018, (a) the development shall not commence until a scheme for the drainage of surface water from that phase of the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Details of surface water attenuation that offers a reduction in surface water runoff rate to 6 l/s;
- 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;

- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

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

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

6) Notwithstanding the Phase 1 Preliminary risk assessment by Curtins (ref. 067266-CUR-00-XX-RP-GE-001 V03 dated 13 July 2018) stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, (a) before the development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of site investigation proposals;
- Submission of a site investigation and risk assessment report;
- Submission of a remediation strategy.

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

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

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

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

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

- Display of an emergency contact number;
- Details of Wheel Washing;

- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

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

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

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

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

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

9) Prior to the commencement of the development, details of the method for piling, or any other foundation design using penetrative methods, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented during the construction of the development.

Reason - Piling or any other foundation using penetrative methods can result in risks to potable supplies (pollution/turbidity, risk of mobilising contamination) drilling through different aquifers and creating preferential pathways. It is therefore necessary to demonstrate that piling will not result in contamination of groundwater pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

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

For the avoidance of doubt this shall include:

- Verification reporting providing photographic evidence of construction;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements adoption by any public body or

statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

11) (a) Notwithstanding landscaping strategy as indicated on drawings M80123_101 Rev D and M80123_102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 27 November 2018 prior to the first occupation of the residential element of this development, details of hard and soft landscaping treatments (including tree planting, street tree planting, boundary treatments and appropriate samples of materials) shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

12) The development hereby approved shall be carried out in accordance with the Environmental Standards and energy statement prepared by Crookes Walker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

13) Notwithstanding the noise and vibration report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, prior to the (a) first occupation of the residential element and (b) first use of each commercial units, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. The approved scheme shall be implemented prior to the first occupation of the residential element and each commercial unit and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and

saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

14) Notwithstanding the noise and vibration report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, (a) prior to the first use of each commercial unit as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall then be implemented and a post completion survey (including appropriate mitigation measures and timescales for implementation if necessary) shall be submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units. The measures implemented (including any additional measures agreed) shall be retained and maintained for as long as the development remains in use.

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).

15) The acoustic insulation of the residential accommodation hereby approved shall be carried out in accordance with the attenuation measures set out in in the noise and vibration report prepared by Hann Tucker stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018.

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

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

16) The development hereby approved shall be carried out in accordance with site waste management strategy prepared by SimpsonHaugh and drawing 10133-Z1-M0-PL-B5D8-G200-0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018. The details shall be implemented prior to the first occupation of both the residential and commercial elements of the development and thereafter retained and maintained in situ.

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

17) Prior to the first use of each of commercial units, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, details of a scheme to extract fumes, vapours

and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units within each phase and thereafter retained and maintained in situ.

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

18) Prior to the first use of each of the commercial units as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, 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 each of the commercial units 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 development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for each phase shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme for each phase shall be implemented in full prior to the first use of the residential element within each phase of development and shall remain in operation for so long as the development is occupied.

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

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

Monday to Saturday 07:30 to 20:00

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

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

22) Prior to the first use of each commercial unit, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

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

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

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

24) The commercial units as shown on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, shall remain as separate units and shall not be sub divided or amalgamated 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.

25) The commercial units, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018 can be occupied as A1, A2 and A3. The first use of the each commercial unit 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 or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

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.

26) The 12 serviced apartments, as indicated on drawing 10133-Z1-M0-PL-A-B5D8-G200-0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018 shall be occupied as C1 only and for no other use.

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.

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

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

28) The development of each phase shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

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

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

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

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

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

30) Prior to the first occupation of the residential building element, the provision of 374 cycle spaces, as indicated on drawing 10133-Z1-M0-PL-A-B5D8-G200-0001 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018 shall be implemented prior to the first occupation of the residential element of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

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

31) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018 shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

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

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

For the avoidance of doubt this shall include the following:

- Amendments/new TROs on Swan Street, Cable Street and Mason Street (including the provision of the loading bays to Cable Street and Mason Street);
- New vehicular access/egress on Cable Street; and
- Footway improvement and reinstatement works around the perimeter of the application site including provision of street trees as indicated in drawings M80123_101 Rev D and M80123_102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 27 November 2018.
- Removal/replacement of directional signage

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

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

33) Notwithstanding the TV reception survey prepared by G-tech, stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018, within one month of the practical completion of each phase of the development or before the residential element of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

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

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

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

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

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

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

36) Prior to the first use of any commercial unit within the development as indicated on drawing PL A B5D8 G200 0001 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, a signage strategy shall be submitted

for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of each phase of the development.

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

37) Prior to the first occupation of the residential element hereby the 3 electric car charging points as indicated in the transport statement and planning statement stamped as received by the City Council, as Local Planning Authority, on the 27 September 2018 shall be implemented, made available and thereafter retained for as long as the development is in place.

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

38) Notwithstanding drawings 10133-Z1-03-PL-A-B5D8-G200-0001 Rev 02, 10133-Z1-02-PL-A-B5D8-G200-0001 Rev 02 and 10133-Z1-01-PL-A-B5D8-G200-0001 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 20 December 2018, the windows to 1 to 4 to the southern eastern elevation of the eastern tower (facing onto the rear elevation of the Bank of Baroda) shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale, or such other alternative equivalent scheme to prevent overlooking, and shall remain so in perpetuity. The glazing shall be in place prior to the first occupation of the residential element hereby approved and thereafter retained and maintained in situ.

Reason - To protect the amenity and living conditions of the adjacent site, and to not preclude any future development opportunity of the Bank of Baroda site, from overlooking or perceived overlooking in accordance with policies SP1 and DM1 of the Core Strategy.

Informatives

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
- There is gas apparatus within the application site boundary. All developers are required to contact Cadents Plant Protection Team for approval before carrying out any works.
- Cranes, whilst they are temporary, can be a hazard to air safety. The developer or crane operator must therefore contact Manchester Airport's Control of Works Office using the details provided below, at least 21 days in

advance of intending to erect a crane or other tall construction equipment on the site. This is to obtain a Tall Equipment Permit and to ascertain if any operating restrictions would be required. Any operating restrictions that are subsequently imposed by Manchester Airport must be fully complied with.
Email: control-of-works@magairports.com Tel: 0161 489 6114

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: 121380/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.

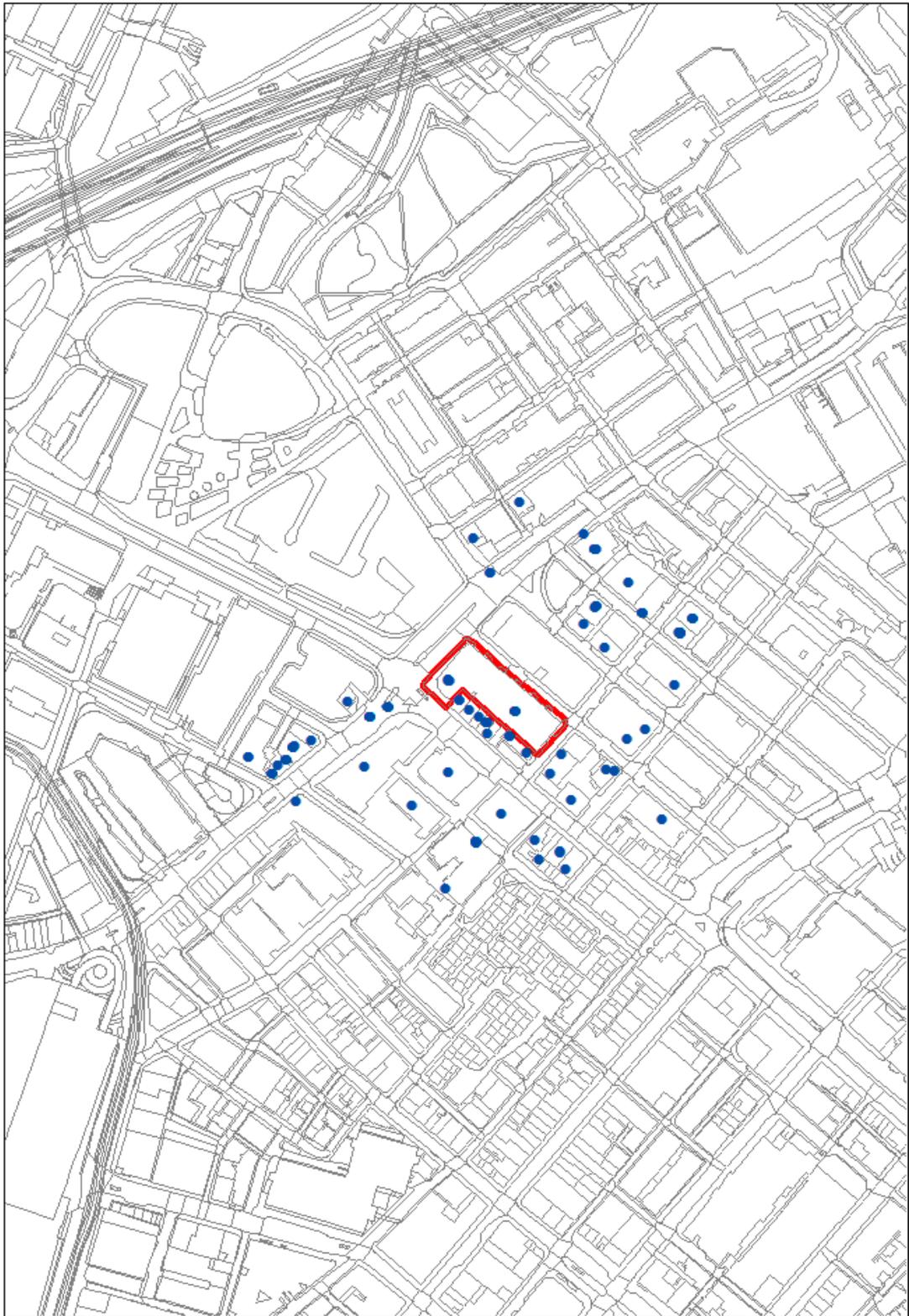
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Manchester Airport Safeguarding Officer
Highway Services
Environmental Health
Strategic Development Team
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
National Amenity Societies
Greater Manchester Ecology Unit
National Planning Casework Unit

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

Representations were received from the following third parties:

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



 Application site boundary  Neighbour notification
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