

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
119100/FO/2018	5th Mar 2018	30th May 2019	Rusholme Ward

**Proposal** Erection of a part two, part three, part four and part five storey building to provide 8 ground floor A1 retail / A2 financial and professional services at ground floor and 35no. apartments above with associated access, parking and landscaping arrangements

**Location** Former Hardys Well Public House, 257 Wilmslow Road, Manchester, M14 5LN

**Applicant** Eamar Developments (UK) Ltd, C/o Agent

**Agent** Mr Tom Collins, nineteen47, Pure Offices, Lake View Drive, Sherwood Park, Nottingham, NG15 0DT

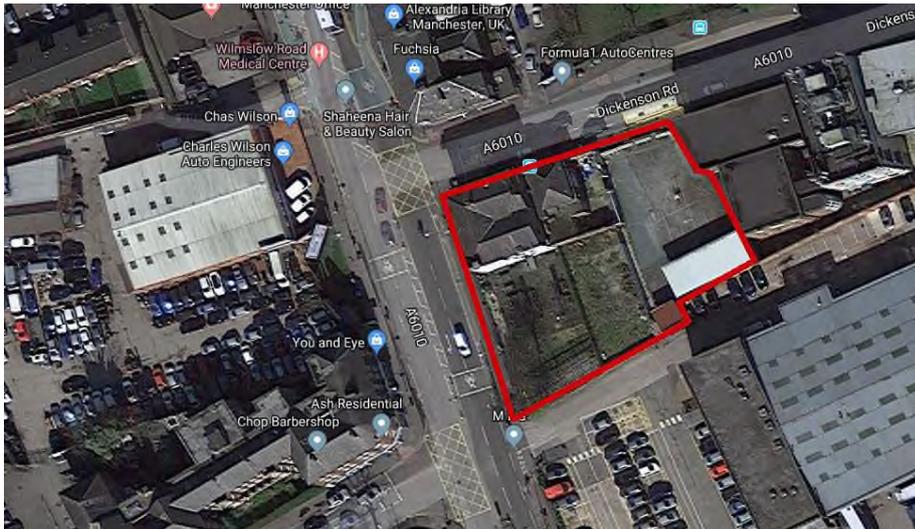
### **Description**

Members will recall that at the Planning and Highways Committee meeting on 11 April 2019, the Committee resolved to defer determination of this application in order to undertake a site visit before making a decision. The recommendation of approval remains unchanged.

The site lies on the east side of Wilmslow Road, to the south of the junction with Dickenson Road at the south end of Rusholme District Centre.

The site measuring 0.19 hectares comprises a vacant two storey public house known as Hardy's Well, the pub closed in July 2016. To the south of the public house fronting Wilmslow Road lies the former beer garden. To the rear of the building is a single storey extension and hard surfaced car parking area accessed from Dickenson Road.

The site is bounded by commercial premises to the north that front Wilmslow Road and residential to the north east, residential to the east on Dickenson Road, the former Bus Depot to the south and commercial premises to the west, such as Charles Wilson Garage. There are 7 trees within the site, 6 of which are protected trees to the south of the site in the former beer garden fronting Wilmslow Road.



Hardy's Well was well known as a pre-match drinking venue prior to Manchester City games at Maine Road and has Lemn Sissay's first piece of public poetry painted on the southern elevation. Whilst the building is not listed and is not located within a Conservation Area, it is considered to be a building of local interest and has clear historical value that contributes to the character of Rusholme District Centre in this location. The property was listed as an Asset of Community Value in 2015, it was removed from the register after it was sold in June 2017. The poem to the side elevation contributes to the cultural heritage of Rusholme District Centre.



The application that is submitted, as amended, retains the former Hardy's Well public house. A part three, part four storey extension would run to the south facing Wilmslow Road, the extension would be substantially setback to allow the Lemn Sissay's poem to remain and show deference to the historic building of local interest. The extension would be constructed utilising red brickwork, with contrasting brick soldier lintels and cills in blue glazed brick (taking a cue from the blue mosaic on the existing building), the windows would be aluminium with some structural glass to enclose balconies. The fourth floor would be setback further and be constructed using glass curtain walling with an aluminium finish to the eaves detail. At ground floor there would be four A1/A2 units proposed with shop fronts with internal roller shutters and designated signage areas behind the glazing. The units would sit behind a landscaped courtyard in the location of the existing beer garden to be enclosed by railings similar to those currently in situ.

The former Hardy's Well building itself would be retained and refurbished (existing timber windows and the parapet with Hardy's sign would be refurbished), accommodating an A1 / A2 at ground floor with residential accommodation above.

To the Dickenson Road frontage there would be a further extension that would be part three storey and part four storey immediately adjoining the retained pub building replicating the scale and arrangement of the extensions to the Wilmslow Road frontage. The height of the extension would then increase to five storey in height as the building extends to the east, bringing the building to the same height as the building to the rear known as the Telephone Exchange. The use of materials for this extension would be consistent with the materials to the extension to the Wilmslow Road frontage.

Car parking would be provided in a ground and basement car park below the proposed building including manoeuvring space for smaller service vehicles and a secure room for cycle parking. Servicing for larger HGV's would be carried out from Dickenson Road. Bin stores for both the commercial and residential units would be provided by the access to the car park from Dickenson Road. A landscaped garden area would be provided for the benefit of the occupiers of the residential units at first floor level.

The applicant has confirmed that they will be building out the site and retaining ownership of the whole building.

## **History**

In 2015 the car park to the rear was utilised for a hand car wash operation during the day following an appeal against the refusal of application reference 106476/FU/2014/S1 for the change of use of part of pub car park to hand car-wash and erection of a canopy.

This application was originally submitted in March 2018 for the erection of a six storey building to provide 903 sq. m A1 retail floor space at ground floor and 62 no. apartments above with associated access, parking and landscaping arrangements. The application as originally submitted was not supported and has seen an exchange of a number of sets of revised plans in order to address concerns expressed. Revised plans were reconsulted upon in January 2019.

## **Consultations**

Publicity – The development was advertised in the Manchester Evening News as a major development. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses notified of the application is set out at the end of this report.

**Local Members** - We have held further consultations with our residents on the revised planning submission for this very prominent site.

The major changes that have been secured - enabling the original Birch Villa structure to be retained and reducing the number of flats very significantly to 35 - are

widely and warmly welcomed, as is the retention of a paved patio area with trees to the side of the Villa on the Wilmslow frontage of the site.

However the development of the site as proposed continues to raise very serious concerns. Of these we want to focus on four key issues.

1. The critical mismatch between the ambitions of the proposed development - to provide 35 flats each with on-site parking in the double basement parking and the actual location of the Hardy's Well site.

This is a corner site positioned alongside two very busy traffic light junctions, at Dickenson Rd/ Wilmslow Rd and Wilmslow Rd/ Platt Lane, and has a bus-stop on Dickenson Rd immediately adjacent to the designated roller-shutter controlled entryway to the basement car parking. Wilmslow Rd is a major artery into the City Centre. The Dickenson Rd now carries a much heavier east-west traffic flow circumventing the bus gate on Oxford Rd.

Cars seeking to exit and either join or cross queueing traffic, and cars queuing to enter or to turn across traffic to enter, will clearly exacerbate the congestion on both Dickenson and Wilmslow roads, especially in peak periods. As will servicing vehicles for the retail units and refuse management vehicles - it is not clear that there is space for them to enter into the site in its current layout.

Given the strong public transport provision along Wilmslow Rd, wouldn't development on this site be ideally suited for flats marketed for modern residents wanting to walk, cycle and use public transport, thus saving the costs involved in the deep excavation required for on-site parking, and enabling more affordable accommodation to be provided of the kind our Ward needs?

2. Retail over-development, with 8 units planned: how are these to be serviced? where are customers to park?

3. The lack of any communal area for the flats residents, and potentially available for community use: wouldn't it be appropriate for at least part of the ground floor of the original Birch Villa / Hardy's Well to be designated for social use as a communal space?

4. The lack of any Section 106 funding for local / public amenities. Such funding could, in particular, provide for a zebra-crossing further along Dickenson Rd where local parents and children cross to and from St James Primary School.

### **Resident comments**

18 objections have been received from 17 separate addresses in relation to the revised scheme that is the subject of this report. The comments are as follows:

- Changes are welcomed, however the scheme has some way to go.
- Given the strong public transport provision along the Wilmslow Rd, wouldn't development on this site be ideally suited for flats marketed for modern residents wanting to walk, cycle and use public transport, thus saving the costs involved in the deep excavation required for on-site parking (which

would be disruptive during construction), and enabling more affordable accommodation to be provided. The proposal are not compliant with policy T2, which aims at promoting walking, cycling and use of public transport. Development of a car park was allowed at Rusholme Gardens and the Council need to be consistent.

- Parking in Rusholme is at 'crisis point,' any plans must not add to the horrendous problem. Traffic is at a standstill and the noise and exhaust fumes are a health risk. Visuals submitted with the application do not convey the traffic situation.
- Ingress / egress to/from the car park will create serious congestion around Dickenson Road / Wilmslow Road junction.
- How are the retail units to be serviced? Where are customers to park?
- Refuse strategy does not look to be addressed properly, a layby for refuse/service vehicles should be introduced.
- Why is there a need for further units when there are empty units in the centre.
- Lack of communal space within the development for residents / lack of recreational space for bicycles and prams to be accommodated with public seating.
- Lack of Section 106 for local / public amenities such as a crossing on Dickenson Road
- Do not agree with the Heritage Statement that the building is a heritage asset of limited significance. The pub should be kept separate from the rest of the development so that it stands out.
- Mosaic facades should be restored
- Density of development is too high
- Are the changes in levels between the existing building and additions feasible?
- The scheme will bring traffic chaos, during construction, associated with access and servicing complicated by the presence of a bus route and bus stop
- The development does not offer parking for electronic vehicles
- The construction would adversely impact upon the movement of mobility scooters
- Concrete covering over drained land would cause flooding, which will impact upon the movement of mobility scooters.
- There should be community use included in the scheme as the property is an Asset of Community Value.
- Is it safe to dig down into the ground to create a basement car park and cause structural damage to surrounding houses? Where are the emergency access points?

**Rusholme & Fallowfield Civic Society** - Although this amended application is a great improvement on the original one, there are still several areas of concern that we have. Specifically,

1. There is no new application form, that describes the lowering of flats from 62 to 35, or the increase in residents/traders' parking spaces. This information can be gleaned from the Rubbish document and the floor plans, but it should be clearer.
2. As a result it is not clear whether these new flats will be for sale or rent.
3. There is no new "affordable housing" statement.

4. There is no traffic management plan.

Positive comments:

- a) Welcome the reduction in number of apartments and the fact that they all have N, S or W facing windows
- b) Like the fact that Hardy's Well pub is retained in its entirety
- c) Like the community outdoor space, which is now South facing (rather than boxed in with much less light as the previous application)

However:

- a) Feel that vehicle access into and out of the building is still a major problem. Dickenson Rd is an extremely congested road. During construction access will be very difficult; following construction there will need to be very regular access for rubbish and maintenance vehicles and delivery vans/bicycles at all times of day; in addition to residents' own cars
- b) Are concerned at the inclusion of car parking in the scheme. Development is close to excellent public transport links and a segregated cycle lane. The Council aims to limit car driving as much as possible, to prevent CO2 emissions; therefore this would seem an admirable scheme to be built and marketed especially to "people without cars"
- c) If there were no car parking facilities provided on site the cost of the development would drop greatly, which would enable the flats to be much cheaper
- d) If there were no car parking facilities provided on site, the construction time would be much shorter and the impact on Dickenson Road users much less.
- e) Encouraging car owners to rent/buy these properties encourages yet more cars - visitors and families with more than one vehicle. These would need to park in the available streets around, which is already a serious problem.
- f) Unconvinced about the need for shops on the ground level. The RDC retail area is struggling, with shops everywhere attempting to be turned into restaurants or fast food place (with the exception of the barbers). And the commercial sense of this area finished quite clearly before Dickenson Rd, and thereafter becomes residential. It would be preferable to perhaps add community facilities instead of retail - a community centre room, a launderette, the rubbish bin storage, bicycle storage, delivery and maintenance vehicle access. An additional flat could be located in the ground floor of the old pub.

Consider that the amended planning application is still contrary to a number of Manchester City Council's adopted planning policies.

Core Strategy - Policy SP1 Spatial Principles. This policy requires that development in all parts of the City should:- Make a positive contribution to neighbourhoods of choice including:- creating well designed places that enhance or create character; making a positive contribution to the health, safety and wellbeing of residents. The siting of the access to and from the proposed development will still introduce significant risks to the safety of pedestrians, cyclists and motorists using the busy A6010 Dickenson Road.

Core Strategy - Policy H1 Overall Housing Provision. This policy states that Within

the Inner Areas in North, East and Central Manchester densities will be lower but generally around 40 units per hectare. This proposal is in the Inner Area in Central Manchester, and proposes a density of 35 units in 0.19 hectares. This is a density of 175 units per hectare. This represents a significant over-development of the site.

Core Strategy - Policy H1 Overall Housing Provision (contd). This policy also requires that the design and density of a scheme should contribute to the character of the local area and be designed to give privacy to both its residents and neighbours.

The footprint and density of this proposal does not contribute to the design principles that are characteristic of the nearby multi-storey buildings - Platt and Worsley Courts. The amenity space provided is very overlooked. The development has not been designed to give privacy to both its residents and neighbours. Also, the proposal does not address the future deficiencies in physical infrastructure likely to arise from the requirement for up to 35 vehicles, plus service and delivery vehicles.

Core Strategy - Policy C2 District Centres. This policy states that Development will support thriving district centres. This development proposal will result in significant additional capacity in the RDC. There is little need for additional retail units, and this development might result in older units remaining vacant and thereby affect the vitality and viability of the existing units in the district centre.

Core Strategy - Policy C5 Central Manchester District Centres - There is further capacity for approximately 3,000 square metres of convenience and 1,500 square metres comparison retail development in the area up to 2027. Additional floorspace will be delivered in Hulme and Longsight, whilst more moderate provision is expected in Rusholme. Additional retail development will be supported in Rusholme, but this should complement the distinct commercial character of the District Centre. Capacity for additional retail in Rusholme can be adequately provided in other centres, including Hulme and Fallowfield. The improvement to the quality of the environment in Rusholme and Longsight is a priority to help retain and attract shoppers and visitors.

This proposal includes 903 square metres of A1 - Shops Net Tradable Area. The same developer has another site in development at the northern end of the RDC that will introduce 1030 square metres of A1, A2 and A3. Taken together, this is not "moderate provision" in the RDC.

Core Strategy - Policy C10 Leisure and the Evening Economy This policy states: New development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted.

The RDC is expressly excluded from MCC's Hot Food Takeaway Supplementary Planning Documents March 2017, so it is possible that the use of some or all of the units could be changed to A3 or A5 and become part the night-time economy, with all the problems that are already generated by such premises in the RDC, including transient noise, inconsiderate parking, litter and fly-tipping.

Core Strategy - Policy T1 Sustainable Transport. This development proposal seems to prioritise car-owning residents.

Core Strategy - Policy T2 Accessible Areas of Opportunity and Need. The proposal does not meet the minimum standards in Appendix B, nor does the application include a proportionate Traffic Impact Assessment, given that there are likely to be access issues during the construction phase and when the building is occupied.

Core Strategy - Policy EN2 Tall Buildings Proposals. It will be necessary for the applicant/developer to demonstrate that proposals for tall buildings are viable and deliverable. This is a relatively tall building incorporating two storeys underground.

The applicant must demonstrate that the proposal is viable and deliverable - and that it is possible for the building construction activities to be managed on such a relatively small plot situated on such a busy corner. The developer has another site in development at the northern end of the RDC. This development is taking a very long time to complete and has necessitated the closing of the adjacent public road, Banff Road, for many months.

Core Strategy - Policies EN4 - EN9 Carbon Emissions/Climate Change/Green Infrastructure etc. The applicant seems to be seeking to maximise the revenue-generating capacity of the site, and this might be at the cost of sustainability. The application is for a residential development of 10 or more units, Policy EN 6 requires an energy statement to be submitted as part of the Design and Access Statement.

This statement doesn't seem to have been supplied. Also, in Policy EN 9, MCC encourages green roofs, green walls, tree planting and other forms of green infrastructure to allow for the adaption to climate change in heavily urbanised areas. The development proposal in its current form has too little regard for this set of policies.

Core Strategy - Policy EN19 Waste. This Policy states that MCC will Require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met... Encourage communities to take responsibility for the waste they create through the provision of accessible facilities. The applicant's waste management plan does not show how both construction and demolition waste will be minimised; or location plans showing the proposed collection point and the route the collection vehicle will take.

With respect to the Council's Saved UDP:

Citywide Development Control Policies - DC6. Housing On "Backland" Sites  
DC6.1 The Council will not normally grant consent for residential development on "backland" sites, that is, sites with limited access to a road because they are surrounded by housing or other uses. DC6.2 b. access and parking arrangements do not significantly increase noise and disturbance for occupiers of existing adjoining dwellings. During the construction period, access and parking arrangements for

works vehicles are likely to significantly increase noise and disturbance for occupiers of adjoining dwellings.

The proposed and existing dwellings retain adequate levels of private amenity space;

All the tests set out in the policy would be applied before planning permission could be considered.

Consider that the amended planning application is still contrary to a number of Manchester City Council's adopted planning policies. On this basis, we request that the planning department determines/recommends refusal of the application in its current form. That said, we are very open to proposals to bring this key Rusholme District Centre (RDC) plot into use, and would welcome a few remaining changes from the developer for more a sympathetic development that is in line with MCC's planning policies.

When the above points are taken into consideration, this planning proposal appears to be demonstrably contrary to a number of the Council's stated planning policies. The Council must, therefore, refuse planning permission.

#### **Moon Grove Residents Association -**

Vehicular access to the premises would appear only to consider provision for the tenants to access the basement parking. This access is on Dickenson Road and very close to the traffic lights that manage access into Wilmslow Road.

The Dickenson Road and Wilmslow Road junction is normally busy and the planning application would appear to wholly disregard this matter.

The slightest traffic problem adjacent to the traffic lights at this junction rapidly causes congestion and tailbacks particularly on Dickenson Road.

Where will delivery vehicles park, when delivering goods and services to the commercial premises in this development?

Internet shopping is very much normal household behaviour - the tenants of the 35 apartments will expect their parcels to be delivered to their homes, Where will white van drivers considerately park their vehicles?

Both commercial and residential tenants will need their waste to be collected, several different times a week. How will large bin lorries access the yard to collect large commercial bins?

How will residential tenants access the basement if they drive from Wilmslow Road into Dickenson Road, as they queue to turn right across the westerly heading traffic then other vehicles behind them will block Wilmslow Road as a tailback develops. At present the tailbacks along Dickenson Road can reach Wallace Avenue, this often means that residents of Stanley Avenue, Moon Grove and Wallace Avenue have in difficulty in leaving their street by car, (all three are cul-de-sac).

One further consequence of this situation is that cars are already using Hall Road and Birch Grove as 'Rat-runs', this will bound to become a serious problem if no further consideration is given to this potential problem.

The only practical remedy is to remove one of the retail units adjoining the proposed vehicle access point on Dickenson Road and the apartment above, together with providing a yard at this point the enlarged access will make a substantially improved and safer development.

**Platt Claremont Residents Association** – Any comments received will be reported to Committee.

**Manchester Civic Society** - Manchester Civic Society objects to this proposal, although they welcome the improvements made so far to the original scheme.

Hardy's Well was listed as an [Asset of Community Value](#) in 2015 as a result of an application by the [Rusholme and Fallowfield Civic Society](#). The existing facade is a Non-Designated Heritage Asset. They do not agree with the Heritage statement that Hardy's Well is 'a heritage asset of limited significance'.

The parapet to the northern, western and eastern elevations has mosaic tiled signage which formerly read 'Birch Villa' but has more recently been painted over once the building became known as Hardy's Well in the later 20th century. This attractive signage originally comprised gold and blue tiling.

The southern elevation contains a poem by Lemn Sissay, commissioned for the site by Andy Pye, the then landlord of the pub, in the mid 1990s. Mr Sissay, MBE, is now the current Chancellor of Manchester University.

Retention and restoration of fabric - The interior still contains attractive original windows, some stained glass, some leaded lights, together with some mahogany fittings.

Manchester Civic Society disagrees with the proposal in the Heritage statement that the 'removal of fixtures and fittings..... will result in the loss of historic fabric considered to be of some limited aesthetic and historic value but the level of harm is minimal'. Believe that the windows and mahogany fittings should be retained, even if they are moved within the building. The mosaic facades should be restored and paint removed to reveal their original glory.

Density - The density proposed here, of 175 units per hectare is far too high for the locality. Policy H1 (Overall Housing Provision) envisages around 40 units per hectare for a site such as this. The proposal represents a significant over-development of the site.

Communal Value - Although the developer states that '*the building is considered to be of limited communal value due to its longevity of use as a public house, serving the population of Rusholme village and gradually expanding, reflecting the suburbanisation and population expansion of the area*' we disagree. Even now, it is

a handsome element of the street scene of both Wilmslow Road and Dickenson Road and much loved by the multitudes who, over many decades, have travelled past it from the south into the city centre along the popular bus route to the city.

Inadequate documentation of amendments - It is difficult for a layman to assess from the limited information provided how the levels between the original buildings and the proposed additions can be resolved. Are they feasible?

Unnecessary retail and food outlets - This development is at the southern end of the 'Curry Mile' replete with shops, some vacant. There is no need for a mixed development of shops and residential here.

Manchester Civic society sees these amendments as an improvement on what had previously been floated. Whilst we welcome the improvements made so far, they still have some way to go.

**Highway Services** – Following specific issues being raised further comments have been provided from Highways, as follows:

The existing access point from Dickenson Road is to be retained. This entrance is set at an appropriate distance away from the Wilmslow Road/ Dickenson Road junction, providing in excess of 10m. Highways accept that this provides appropriate visibility for vehicles accessing/ egressing the site.

The applicant has scaled back the current proposals, reducing the number of units considerably and therefore decreasing the number of vehicles associated with the site.

Whilst it is acknowledged that queue lengths are considerable particularly during the morning and evening peak periods, vehicles accessing the site are unlikely to cause any significant impact. Highways have insisted that there is an appropriate stacking distance provided from Dickenson Road to the proposed roller shutters to ensure that vehicles do not block the carriageway.

Keep Clear markings could be considered adjacent to the entrance to maintain access for vehicles entering/ exiting onto Dickenson Road. Amendments to the existing Traffic Regulation Orders could also be considered, both of which could form an off-site highways works condition.

Residential servicing requirements are proposed on-street as large service vehicles cannot manoeuvre internally given the compact site layout. Highways accept that the frequency of residential waste collection is minimal and when taken outside of peak commuter periods, is unlikely to cause any network implications. All further servicing, including that for the commercial units can be accommodated within the internal site. This should be clearly stated within a Servicing Management Strategy and be conditioned to any future consent.

**Neighbourhood Team Leader (Arboriculture)** - The proposal is to remove T1, T2, T3, T4, T5 and T6 which are all protected by a Tree Preservation Order.

The trees are in a prominent position on Wilmslow Road and should be a consideration in this development and therefore they object to the proposals for this site from an arboricultural perspective.

**Environmental Health** – Recommend conditions with regards to delivery hours, opening hours of the commercial premises, acoustic insulation, construction management, Refuse, Air Quality, Contaminated Land and External Equipment Insulation.

**Greater Manchester Police** - Recommend that a condition is put in place to ensure that development takes place in accordance with recommendations of the Crime Impact Statement.

**Greater Manchester Ecology Unit** – Have no objections to the application on ecological grounds.

**MCC Flood Risk Management** – Conditions are recommended relating to surface water and maintenance of a sustainable urban drainage scheme.

**Manchester Conservation Areas and Historic Building Panel** - The Panel noted that the Hardy's Well building is of good quality Italianate style and the drawings do not convey its quality. They welcomed its retention.

The Panel would like to see a thorough restoration of the elevations including all of the original windows and return them back to traditional style sliding sashes. The Panel noted a metal window and leaded windows at the side and said that these should be retained and repaired.

The Panel would also like to see the restoration of all original features such as the mosaic / tiles and any other detailing including railings.

The Panel queried the floor level and how they worked with both buildings and noted that the floors seemed to cut through the windows of the existing building which would have a detrimental effect on the elevations.

The Panel noted a level of discrepancy between the drawings which was of concern and suggested a lack of rigour.

The Panel would like to see a much better junction between the existing and new buildings. They suggested that the existing single storey building should be retained as it is a good part of the building and would provide a good link between the two.

The Panel noted that the design looked as if a large section had been taken out of the 5 storey building in an abrupt way.

The Panel noted that there may have been a preference to bring the development forward to reinstate the buildings at the back of pavement and that artwork on the gable end should not dictate good urban design. They stated that this would also have the benefit of removing the area of landscaping to the forecourt that currently looked poorly designed. The Panel stated that if this area is to remain to the front

then it should either have residential behind at ground level with this area as amenity space for the residents with a good boundary treatment, or it should be a high quality landscape scheme again with a good boundary to prevent parking.

The Panel questioned the viability of retail units to Wilmslow Road and noted that the floor to ceiling heights in these units would not provide enough flexibility for a variety of commercial uses.

The Panel noted that the massing wasn't ideal but could be a lot worse. They observed the roof overhang as being an awkward feature lacking in substance and suggested a true parapet detail that would give longevity.

The Panel noted that the vertical blue brickwork didn't connect well with the base and its use needs to be carefully handled.

The Panel noted that there was a lack of consistency in the drawings and there needed to be clarity over what was happening with the floors and levels.

The Panel would like to see advertising giving proper consideration.

## **Policies**

### **Relevant Local Policies**

#### **Local Development Framework**

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the "Core Strategy"), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The proposals are considered to be consistent with the following Core Strategy Policies SP1, H1, H5, H8, C2, C5, EN1, EN3, EN4, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2 and DM1.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. Development in all parts of the City should "make a positive contribution to neighbourhoods of choice including creating well-designed places that enhance or create character, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment." The development would reuse previously developed land to improve the built environment and local character.

Policy H1 – Housing Provision. This policy identifies that approximately 60,000 new dwellings will be provided in Manchester between March 2009 and March 2027 equating to an average of 3,333 units per year although this rate will vary across the

identified period. The policy identifies that the emphasis outside of the City Centre and the City's Inner areas is to increase the availability of family housing. It is expected that 90% of residential development will take place on previously developed land and sites in close proximity to centres and high frequency public transport routes. The application proposals would contribute to the overall provision of new residential units in the City on previously developed land in a sustainable location close to services and public transport routes. The proposals incorporate apartments. On this basis the proposals are considered to accord with the policy H1 of the Core Strategy subject to consideration of matters set out within the issues section of this report.

Policy H5 – Central Manchester Housing Policy. Central Manchester, over the lifetime of the Core Strategy, will accommodate 14% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the Regional Centre (Hulme and Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed use schemes. The development proposals would accord with policy H5 of the Core Strategy.

Policy H8 – Affordable Housing. Policy states that affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The development would not be above the site size threshold but would be above the unit number threshold.

A Viability Appraisal has been submitted to the Local Planning Authority regarding the provision of affordable housing. The appraisal demonstrates that the proposed scheme cannot support affordable housing. This issue is discussed in more detail below.

Policy C2 – District Centres. The proposal would contribute to the vitality and viability of Rusholme District Centre through the provision of employment and housing and efficient use of land positively contributing towards regeneration.

Policy C5 – Central Manchester District Centres. The policy states that additional retail development will be supported in Rusholme that complements the distinct commercial character of the District Centre. The improvement of the quality of the environment in Rusholme is a priority to help retain and attract shoppers and visitors. This application proposes a complementary commercial offer that would improve the environment.

Policy EN1 - Design Principles and Strategic Character Areas. The site currently has a building on site with a façade that has historic architectural features. The proposal involves the retention of this structure, the extensions to the building would be of a good quality design, and would enhance the character of the area and the overall image of Manchester. The positive aspects of the design are discussed in more detail below.

Policy EN3 – Heritage. The proposal would have an impact on a building of local interest. This is discussed in more detail later in the report.

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

Policy EN9 - Green Infrastructure. The development includes tree planting and landscaping to a roof terrace.

Policy EN14 - Flood Risk. A Drainage Strategy has been submitted and this is discussed in more detail below.

Policy EN15 - Biodiversity and Geological Conservation. The redevelopment is considered to have an acceptable impact upon ecology.

Policy EN16 - Air Quality. The proposal would be highly accessible by all forms of public transport.

Policy EN17 - Water Quality. The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN18 - Contaminated Land and Ground Stability. A site investigation, which identifies possible risks arising from ground contamination has been prepared.

Policy EN19 – Waste. The development would be consistent with the principles of waste hierarchy.

Policy T1 - Sustainable Transport. The development incorporates electronic vehicle charging points for 3 vehicles. There would be 100% cycle parking provision. It is noted that there is 100% car parking for the residential element of the development, however there is a notable on street parking pressure in this locality and it is considered that the scheme does encourage a modal shift away from car travel to more sustainable alternatives.

Policy T2 - Accessible Areas of Opportunity and Need. The proposed development would be easily accessible by a variety of sustainable transport modes and would help to connect residents to jobs, local facilities and open space.

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Design for health;
- Adequacy of internal accommodation and amenity space;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- That development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;

- Accessibility to buildings, neighbourhoods and sustainable transport modes;
- Impact on safety, crime prevention and health; adequacy of internal accommodation , external amenity space, refuse storage and collection, vehicular access and car parking; and
- Impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

These issues are considered full, later in this report.

### **Saved UDP Policies**

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.

It is considered that the proposal is consistent with the policies contained within the UDP.

### **National Planning Policy Framework**

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;
- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 103 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused in

locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context paragraph 110 states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

Paragraph 117 indicates 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. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Paragraph 127 confirms that planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 197 states that 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.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

## **Other Material Considerations**

### **Guide to Development in Manchester Supplementary Planning Document (SPD) and Planning Guidance (April 2007)**

Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. The SPD states that proposals should seek to ensure that the use of the building reflects their purpose and the place in which they are located. Development should enliven and define neighbourhoods and promote a sense of place. Development should have regard for the location of sustainable public transport and its proximity. In relation to crime issues, the SPD requires that prevention measures should be demonstrated, and include the promotion of informal surveillance, CCTV, good lighting and stewardship.

### **Residential Quality Guide**

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

### **The Manchester Green and Blue Infrastructure Strategy (G&BIS)**

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with 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.

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

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
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.

### **Central Manchester Strategic Regeneration Framework**

This Strategic Regeneration Framework sets a spatial framework for Central Manchester within which investment can be planned and guided in order to make the greatest possible contribution to the City's social, economic and other objectives and identifies the Southern Gateway area, within which the site sits, as one of the main opportunities that will underpin the Framework, which is extremely important for Central Manchester, the city as a whole and the surrounding area. It is considered that the application proposals will contribute significantly to achieving several of the key objectives that are set out in the Framework, including creating a renewed urban environment, making Central Manchester an attractive place for employer investment, and changing the image of Central Manchester.

### **Legislative requirements**

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.

**Environmental Impact Assessment - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017** specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The proposal is below the thresholds at Schedule 2 of the EIA Regulations and it is not located within a 'sensitive area,' as such, the proposals do not comprise 'Schedule 2 development' and a Screening Opinion was not sought.

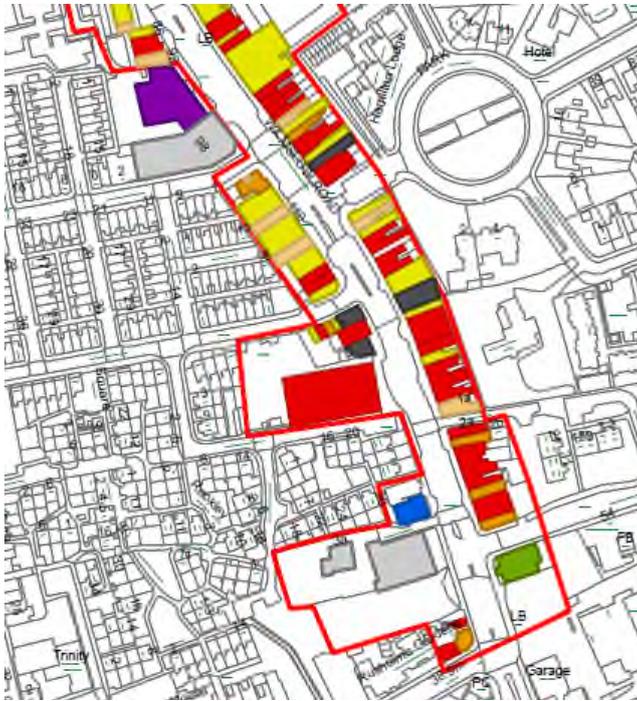
Having taken into account the EIA Directive and Regulations it is therefore considered that an Environmental Assessment is not required in this instance.

**Issues**

**The principle of the proposed development**

The principle of a mixed A1 retail and A2 financial and professional services offer in this location is acceptable as the site is located at the southernmost tip of Rusholme District Centre. Until a recent alteration to the Use Classes Order the existing public house on the site could have been converted to an A1 use without the benefit of a further application for planning permission.

Policies C2 and C5 of the Core Strategy support development that provides complementary employment and housing uses whilst using land efficiently, regenerating the District Centre, improving the environment and supporting vitality and viability. Concerns have been raised with regards to the need for the commercial floor space in this location, however the site is located within the Rusholme District Centre and is identified in the adopted Core Strategy as an appropriate location for mixed use development. The amount of floor space for A1 use (retail shops) and A2 use (financial and professional services) is approximately 900 sqm which is considered to be an appropriate level of provision to support the vitality and viability of the District Centre. This scheme is therefore considered to contribute positively towards achieving the objectives set out within the adopted development plan policies.



**Map showing extent of southern extent of Rusholme District Centre including the site of the former Hardy's Well**

The proposals would provide for 35 accessible, sustainably located residential units brought forward as part of a mixed use development that accord with the standards set out in the residential quality guide in accordance with the aspirations of policies H1 (Housing) and H5 (Housing in Central Manchester) of the Core Strategy.

### **Density**

Comments have been received stating that a density of 35 units in 0.19 hectare is inappropriate representing overdevelopment of the site. Policy H5 states that high density housing will be permitted within or adjacent to the Regional Centre (Hulme and Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed use schemes. The National Planning Policy Framework states that planning policies and decisions should support development that makes efficient use of land.

### **Affordable Housing**

Policy H8 requires that development should contribute to the City-wide target that 20% of new housing is affordable. 20% is used as a starting point for calculating affordable housing and homes should be available for social or affordable rent or affordable home ownership. If this is not provided on site, an equivalent financial contribution should be made to off-site provision.

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

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

The application proposes 35 apartments for private rent. The proposal would redevelop a brownfield site and create active street frontages in a prominent position. It would be a quality scheme in terms, of its appearance and would comply with the Residential Quality Guidance. It also delivers a significant component of commercial space whilst maintaining a building of local interest that affects the overall viability of the scheme. All these matters have an impact on the scheme's overall viability.

A viability report that has been assessed and verified by the Council, demonstrates that it is not possible to provide a contribution towards affordable housing in this instance. This is based on a site value of £1,038,012. Construction costs are £5,410,417 with total costs at £6,575,560.81. Based on the inputs and outputs this would lead to a residual land value of -£1,123,576 equating to a -13.6% deficit for the development, however, the developer has set out that whilst they are making a loss on this site they believe the development is deliverable, as it is intended for the applicant to retain ownership, with revenue to be collected as rent from tenants over a very long-term period.

The Councils modelling of the viability suggested that the construction cost would be broadly similar as the cost of converting the old building will be substantial. However some appropriate adjustments have been made to the other inputs such as rental values, yields and the Base Land Value, The result being a marginally negative profit figure albeit improved from that communicated in the viability assessment submitted.

An argument was put forward by objectors that if the basement car park is omitted then this would bring the development into the realms of profitability that could contribute towards making the apartments proposed more affordable. The applicant has provided the figures for the development without the basement car parking and the development would still not be able to support a contribution for affordable housing. The residual land value without the construction of the car park would be - £926,232. However, it must be noted that the submitted scheme includes the car park and this is the scheme which is required to be assessed.

The figures above clearly demonstrate that the scheme is not viable, but that the developer believes that the scheme is deliverable as a long-term investment.

The viability report has been tested by the Council and it has been agreed that it would not be possible for the development to make provision on site or a financial contribution towards offsite affordable housing without undermining viability.

The applicant has agreed to enter into a legal agreement which will include a provision for a reconciliation which would require a contribution to be paid if values change at an agreed point, there would also be provision for a future review mechanism so if the residential units are to be retained as a rented scheme or are changed from rented to sale at a future date.

### **Highway Safety**

The access for the proposed development would remain in the same location as the historic access to the public house car park. The roller shuttered entrance to the car park would be operated by remote activation.

A number of the objections raised focussed on concerns related to the proximity of the access/egress of the proposed development to the junction of Wilmslow Road with Dickenson Road. The junction has become busier in recent history as people adjust to the new highway arrangements with regards to the Oxford Road bus corridor. The applicant submitted a Transport Statement to accompany the application and provided further information with regards to tracking to satisfy questions raised by Highways. The number of trips generated by a development of 35 residential units with 8 small scale commercial units is not forecast to place any undue additional pressure upon the highway network.

This same access was used in 2015 for hand car wash use for park of the car parking area for the public house. In the appeal inspectors decision notice she stated:

'A number of concerns have been raised regarding highway and pedestrian safety issues that may result from the scheme. However, I note that there is no objection to the scheme from the Highway Engineer. In the light of this, and observations made during my site visit, I am satisfied that the existing highway network would be able to cope with any additional traffic movements created by the proposed development, and that the proposal could operate in a way that would not be detrimental to highway or pedestrian safety.'

The use as a hand car wash placed more pressure upon the highway in this location than the proposed development would.

A request has been made for payments for offsite contributions towards the costs of a pedestrian crossing on Dickenson Road. However, given that the development would not place significant pressure on the highway network and would not be generating a significant increase in the local population in this location it is not considered that the obligation could be substantiated. Any requirement to mitigate harm must be proportionate to the harm caused and in this case it would not be reasonable to require mitigation through the provision of a crossing. It must also be noted that the use as a public house had the potential to generate significant numbers of pedestrian movements.

### **Car Parking**

The National Planning Policy Framework and the policies of the Core Strategy do place emphasis on sustainable development in locations that are well served by public transport asking that developers support a modal shift away from reliance of the car. The development proposals provide 36 spaces within a ground and basement car park.

The 36 spaces would be provided for the 35 residential units proposed. They would include for disabled car parking and would provide 3 No. electronic vehicle charging points.

No car parking facilities are provided for the staff or for visitors to the proposed A1 / A2 ground floor uses. Given the location in a District Centre location this is considered to be acceptable.

There is a localised parking issue in Rusholme associated with the use of the centre and car parking associated with the nearby hospitals that has been expressed in a number of the objections received.

It has been raised that planning permission was granted for the development of a car parking area adjacent to flats to the opposite side of Wilmslow Road known as Rusholme Gardens. Planning permission was granted on the grounds that land to the rear of the existing flats (which was largely occupied by outbuildings used for the storage of appliances) was improved, involving the demolition of outbuildings and laid out for car parking for the use of the flats.

The level of car parking provision is appropriate for the scheme having regards to the particular circumstances of this site. The car parking has been provided to serve the

residential use to minimise the likelihood of additional parking on nearby residential streets that are suffering from an on-street parking problem.

## **Cycle Parking**

Cycle Parking has been provided within the secure basement parking area for 42 spaces (35 units and provision for the staff of the commercial units), development is located in a sustainable location with regards to cycle travel being located adjacent to the enhanced Oxford Road cycle network. It is considered that the level of provision is acceptable.

## **Servicing**

Servicing for larger vehicles is proposed from the kerbside along Dickenson Road (as was previously the case with the servicing for the former public house) with smaller vehicles servicing internally within the site's curtilage. Highways consider this to be acceptable on this occasion given that Dickenson Road comprises two-lanes and the servicing requirement is anticipated to be minimal. This arrangement is common place in the District Centre.

It is recommended that a Servicing Management Plan be conditioned to any approval of the application, in order to manage all deliveries associated with the various units and allow for effective scheduling of servicing vehicles accessing the site.

## **Refuse**

Refuse collection is to take place weekly by private waste contractor, with dedicated refuse storage areas) for both the residential units and commercial units provided within the site, located near the service stair and corridor adjacent to the car park entrance area. It would be the responsibility of the residents and the commercial operators to place the bins at the collection point on Dickenson Road and return bins to the store following collection. There is adequate space within each of the apartments to accommodate recycling facilities within the kitchen, residents on upper floors have access to a lift to convey waste to the refuse store. A waste management strategy has been submitted to accompany the application that Environmental Health have confirmed provides sufficient capacity for both residential and commercial bin storage (including appropriate levels of bins for separated waste).

Residential – 0.43m<sup>2</sup> has been provided per apartment for container space. Space to manoeuvre and access containers individually has also been provided so that each container can be accessed and removed for collection individually. There will be containers for glass, cans, paper and general waste.

Commercial – 4 x 1100 general waste, 1 x 1100 pulvable recycling, 1 x 1100 mixed recycling, 1 x 1100 food waste, 1 x 1100 industrial waste

The City Council acknowledge that waste management in Rusholme District Centre has caused difficulties and as such a condition is recommended that the bin storage accords with the information submitted.

## Heritage

The application was accompanied by a Built Heritage Impact Assessment prepared by Cotswold Archaeology. The former Hardy's Well was named after Hardy's Brewery and was formerly known as Birch Villa, which has existed on site since 1837. The building was extended in the early 20<sup>th</sup> Century with a large single storey function room to the rear with an extension to the cellar following the ground floor footprint. A new internal stair was also inserted and there was an internal remodelling. Internally much of the earlier spatial layout was lost as the requirements for larger spaces resulted in the opening up of the ground floor bar area. The building is said to have undergone significant internal alteration which greatly limits its heritage interest. Mahogany and stained glass features have been relocated from their original positions.



The significance of the building is said to lie in its architectural and historic interest as an example of a prominent but decoratively restrained Victorian public house situated on the main road into Manchester from the south. The statement shows cognisance that the late 20<sup>th</sup> Century poem by Lemn Sissay is important.

An objector has been critical of the report in that it states that there is minimal harm to a heritage asset of limited significance. The building is, in fact, recognised as a heritage asset in the document submitted by the applicant. It is a building of local interest that the developer has been encouraged to retain in its entirety since earlier iterations of plans submitted. To address concerns that had been expressed about the levels internally and how the scheme would be fitted out, the applicants have confirmed in writing that the existing first floor timber structure within Hardy's Well will be retained as existing in its existing location and that existing windows on Wilmslow Road and Dickenson Road would be replaced with traditional sliding sash timber windows.

Paragraph 197 of the National Planning Policy Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an 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.

Following amendments to the application, it is considered that the scheme will cause minimal harm to the building and will secure its long term retention as a part of a redevelopment scheme that would provide regeneration benefits to the area. A condition is recommended for a schedule of works to the building to ensure that features of merit (stained glass windows / decorative tile panels) noted within the heritage assessment are maintained or reutilised.

### **Asset of Community Value**

The former Hardy's Well Public House was registered as an Asset of Community Value in 2015, however it was removed from the register after it was sold in June 2017.

### **Urban Design**

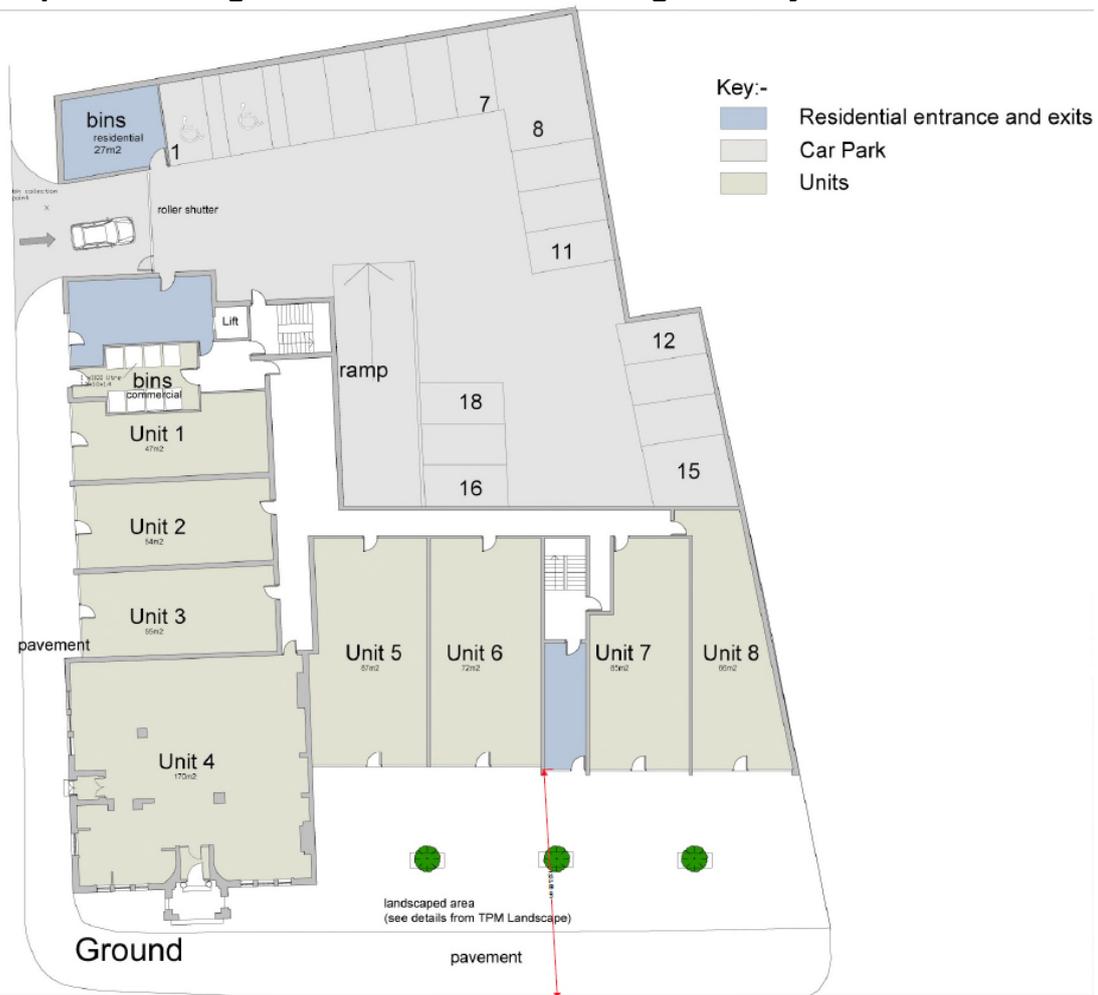
With regard to the Manchester Conservation Areas and Historic Building Panel's comments about the setback of the extension to Wilmslow Road, it would usually be the case, that buildings sit to the back of footpath to replicate the local pattern of development. Setbacks in the street scene often create areas for anti-social behaviour to occur and there is an issue with incidents of anti-social behaviour in this location as evidenced by the information contained within the Crime Impact Statement.

The driver behind the setback is to pay respect to the historic and local interest of the former Hardy's Well public house and to try to retain the poem to the southern elevation of the building. The earlier submitted plans showed a six storey building that subsumed the former Hardy's Well and had a glazed atrium to the Wilmslow Road which offered views through the poem on the southern elevation, however, this was not considered to provide adequate views through to the poem.

Greater Manchester Police provided a Crime Impact Statement to assess the creation of this setback, they are satisfied subject to the incorporation of internal roller shutters and maintenance of visual openness of the courtyard created to the Wilmslow Road frontage. The landscaping plan submitted shows a conservation type flag to the site frontage enclosed by a wall with railings atop with planted areas within conservation edging behind. Three extra heavy standard 4 – 6m street trees would have canopy of a sufficient height to maintain views into the courtyard area.



Layout plan showing the Wilmslow Road frontage site layout



Proposed ground floor layout plan

In street scene terms with regards to Wilmslow Road it is considered that the significant setback maintains the former Hardy's Well as the focal feature to the corner of Wilmslow Road and Dickenson Road. There is a currently a gap between the former Hardy's Well and the former First Bus depot where the beer garden was (although records indicate that a structure covered this land until 1989, in 1908 a large marquee was erected to house comedy shows, this was then used as a car works from 1951 until 1989). A condition is recommended to prevent any inappropriate structures from being placed on this land.



**Wilmslow Road frontage**

In street scene terms the impacts of the proposals upon Dickenson Road can be seen in the image below. It is considered that the back of pavement proposals would significantly improve the current street scene, which sees the entrance to a car park which has been utilised as a hand car wash and has recently had unauthorised storage of containers. The scale of the proposals is considered to be acceptable having regards to the height of the property immediately to the east.



### **Dickenson Road/Wilmslow Road junction view**

### **Amenity Space and Green Infrastructure**

The proposals include a substantial first floor amenity space for the 35 residential units proposed. This would include lawned areas, feature paving, areas for seating, one sheltered and the planting of 11 trees.



### **First Floor outdoor amenity space**

A number of the apartments have balconies to provide further amenity spaces. It is therefore considered that having regard to the on-site provision and the proximity to Platt Field Park, the development would be adequately catered for with regards to amenity provision.

The 7 trees to be removed, 6 of which are protected are defined by the arboricultural survey to be category C trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

The proposed three trees to the landscaped courtyard to the Wilmslow Road frontage would be extra heavy standard 4 – 6m street trees added to the 11 trees proposed to the amenity space, this would provide 14 trees for 7 poor quality trees to be removed. The loss of trees would be justified by the need for housing and commercial development as part of an appropriate mixed use development in a District Centre location.

### **Sustainability**

The agent has stated that the building is designed to be environmentally friendly with reduced energy usage and heat losses to be better than the current Building Regulation standards. Natural ventilation will be via opening windows and some mechanical ventilation to kitchens and bathrooms be designed to be energy efficient. A condition has been attached to secure compliance with this commitment.

### **Air Quality**

The scheme proposed would be located in a sustainable location and provides for 42 cycle parking spaces and 3 No. electric charging points. The scheme itself would provide for only a further 35 residential units and 8 small scale commercial units and the amount of traffic associated with such a development is not considered to be substantial. Subject to the requirement of appropriate controls through a Construction Management Plan, it is considered that the proposals would have an acceptable impact upon air quality.

### **Accessibility**

The apartments will be accessible as the ground floor units will have level access and the upper floor are accessible through the provision of a lift. 2 No. disabled car parking spaces have been provided within the ground floor car parking spaces.

### **Residential Amenity**

The extensions to the existing Hardy's Well building would be setback significantly from the Wilmslow Road frontage and would be additionally separated by a four lane carriageway with significant footways to either side from property to the west at Charles Wilson garages and to the commercial parade turning the corner with Platt Lane. The proposals would have no impact with regards to loss of light or overlooking due to the separation distances involved which are estimated to be 31m. The existing building to be retained would be some 25m from property to the west.

To the north lies the gable of No 255 Wilmslow Road, which turns the corner onto Dickenson Road at the end of a terrace of commercial properties. There are four first floor windows that appear to provide light to a first floor office, that look towards the development site. At this point the building would be maintained at 2 storey in height, although the extension down Dickenson Road would increase in height to part three,

part four and part five storey development to the back of footpath separated by c. 15m. It is not considered that the proposals would have such any undue impact on these windows as would warrant the refusal of consent.

Further down Dickenson Road the development would be opposite an MOT centre which is set back behind a deep forecourt and the gable of a house which is setback, has no windows and is screened by dense tree planting. It is not considered that the development proposals would have any impact on light availability or with regards to overlooking in this location.

To the eastern boundary lies the two storey blank gable of the telephone exchange building. The five storey extension in this location would not have any impact upon the amenity of the adjoining building. The telephone exchange building rises further to the east and has three windows facing towards the development proposals, however given their orientation and the separation distance proposed of 13m it is not considered that these windows would be adversely impacted upon. There are windows to the west elevation of a projection to the rear of the telephone exchange building that would be predominantly looking out upon the first floor roof terrace proposed. To ensure that privacy is retained to the outdoor amenity space and to neighbouring sites it is considered necessary that a privacy screen be installed along the outer boundary of this amenity space. An appropriately worded condition is proposed for these details to be approved.

To the south the site adjoins a former bus depot which has a large surface area car park to the Wilmslow Road frontage. The office building which is setback significantly in the site does have 9 windows at first floor to the north elevation, the building is away from the shared boundary by 10m and the proposals in this location, oriented to the north, would be predominantly one storey with the landscaped terrace on top.

There are two windows proposed to the south elevation of the proposed extension to the Wilmslow Road frontage for a first and second floor bedroom. These would need to be obscurely glazed to protect the amenity of the residents of the proposed building.

The windows to the rear of the Dickenson Road extension would be significantly separated from property boundary to the south (by 14 – 22m) with the rooftop terrace and its tree planting in the intervening distance to prevent there being any overlooking from the south facing windows proposed.

It is considered that the proposals would not adversely impact upon residential amenity with regards to overlooking or loss of light subject to the imposition of the condition with regards to two windows as detailed above.

## **Noise**

It is anticipated that the main sources of noise would be related to traffic noise given the sites location adjacent Wilmslow Road and Dickenson Road and from activity associated with the commercial uses in Rusholme District Centre and adjacent sites.

The application proposals have been assessed by Environmental Health officers who have recommended the imposition of appropriate planning conditions to ensure that residential and commercial accommodation are appropriately insulated and that the hours of the ground floor commercial units are to be agreed prior to their first use then the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

### **Permitted Development**

The Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable.

The applicant has indicated that the proposed residential properties may be sold or rented in the future. It is therefore considered necessary that a condition be attached to any approval for the submission and approval of a residential management strategy to provide details of how properties in the development would be managed.

In addition it is recommended that a condition of the approval should clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) without the requirement for formal planning permission. This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO's.

### **Quality Residential Guidance**

There would be 10 No. 1 bed apartments, 21 No. 2 bed apartments and 4 No. 3 bed apartments. They would all meet the space standards set out in the quality residential guidance.

### **Conclusion**

The scheme proposed would provide housing of a good standard and employment in Rusholme. The site is currently not being used efficiently and the development proposals would deliver regeneration benefits that would contribute positively to the vitality and viability and environment of Rusholme District Centre. The scale and massing of the development as amended that retains the former Hardy's Well public house, which is a building of local interest, responds to the site specific context and has regard to its relationship to neighbouring properties.

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

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

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

**Recommendation MINDED TO APPROVE** subject to the signing of a legal agreement which will include a provision for a reconciliation, which would require a contribution to be paid if values change at an agreed point, there would also be provision for a future review mechanism so if the residential units are to be retained as a rented scheme or are changed from rented to sale at a future date.

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable and has been determined in a timely manner.

### **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:

- Site Location Plan (F05-EA-03A)
- Existing Block Plan (F05-EA-01A)
- Existing Ground Floor (F05-EA-S-01)
- Existing First Floor (F05-EA-S-02)
- Existing Basement (F05-EA-S-03)
- Existing Elevations (F05-EA-S-04)
- Existing Elevations (F05-EA-S-05)
- Proposed Basement (F05-EA-07H)
- Proposed Ground Floor (F05-EA-5 Rev J)
- Proposed First Floor (F05-EA-8 Rev K)
- Proposed Second Floor (F05-EA-9 Rev K)
- Proposed Third Floor (F05-EA-12 Rev D)
- Proposed Fourth Floor (F05-EA-21 Rev B)
- Proposed Landscape Layout (2922-102 Rev F)
- Proposed Elevations (F05-EA-10 Rev M)
- Proposed Elevations Dickenson Road (F05-EA-13 Rev J)

Proposed Elevations / Courtyard Sections (F05/EA/14 Rev L)  
Proposed South Facing Side Elevation (F05/EA/15 Rev F)  
Swept Path Analysis 2070-SP01 Rev B  
Proposed wall abutments between existing and proposed junctions  
(F/05/EA/22 Rev A)  
Section Details at 1:20 Secret Gutters, Balconies and Handrail and Curtain  
Walling and Parapet (F05/EA/23 Rev A)  
Proposed Wilmslow Road Elevation indicating new boundary wall, fence  
and gate (F05/EA/25)  
Arboricultural Survey  
Transport Statement  
Bat and Ecology Survey  
Affordable Housing / Viability Statement  
Design and Access Statement  
Heritage Impact Assessment  
Drainage Statement  
Phase 1 Geo-Environmental Desk Study  
Waste Management Strategy proforma  
Crime Impact Statement reference 2007/0956/CIS/01

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. Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

4. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement reference 2007/0956/CIS/01.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

5. Notwithstanding the information submitted, no development shall commence prior to the submission of further details with regards to the sustainability performance of the development proposed. The development hereby approved shall only be carried out in accordance with measures detailed in the submitted sustainability performance information submitted.

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 (NPPF).

6. No drainage shall be installed until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

7. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
  - a. Verification report providing photographic evidence of construction as per design drawings;
  - b. As built construction drawings if different from design construction drawings;
  - c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

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

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

10. Notwithstanding the approved plans within three months of the commencement of development details of the hard and soft landscaping scheme for the site shall be submitted and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

11. Prior to first occupation of the development the cycle parking shall be implemented in full and made available for use. The approved scheme shall remain available for use whilst the development is occupied.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

12. The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car parks shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

13. Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Dickenson Road and Wilmslow Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB  $L_{Aeq}$  (individual noise events shall not exceed 45 dB  $L_{Amax,F}$  by more than 15 times)  
Living Rooms (daytime - 07.00 - 23.00) 35 dB  $L_{Aeq}$   
Gardens and terraces (daytime) 55 dB  $L_{Aeq}$

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

14. The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the  $L_{Aeq}$  (entertainment noise) shall be controlled to 10dB below the  $L_{A90}$  (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

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

15. Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background ( $L_{A90}$ ) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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

16. The waste management arrangements shall be carried out in accordance with the Waste Management Strategy received by the City Council. The approved details shall then be implemented and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

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

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

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

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

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

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

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

19. Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

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

20. Prior to the first occupation of the development hereby approved, a detailed servicing strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy, including, shall be implemented and be in place prior to the first occupation of the student accommodation and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

21. Prior to the commencement of the development a detailed construction /demolition management plan and outlining working practices during development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN15, EN19 and DM1 of the Manchester Core Strategy.

22. Prior to occupation of the commercial premises a schedule of the proposed opening hours shall be submitted in writing to the local planning authority for consideration.

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

23. The landscaped courtyard in front of the commercial units fronting Wilmslow Road shall be kept clear of any obstruction. No structures shall be erected at any time to maintain the openness of the frontage.

Reason – In the interests of visual amenity and to reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

24. a) Prior to the commencement of the development, details of a Local Labour 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 Labour 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 Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour 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).

25. a). Three months prior to the first occupation of the development, a Local Labour Proposal Framework that outlines the approach to local recruitment for the end use(s), 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 occupation of the development.

In this condition a Local Labour 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 Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b). Within 6 months of the first occupation of the development, a Local Labour Proposal 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. Any Local Labour Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is in operation.

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

26. Notwithstanding the details as set out in condition 2 above a Schedule of Works for the retained former Hardy's Well Public House building shall be submitted for approval.

Reason - In the interests of visual amenity and because the proposed works affect a building which is of historic interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies EN3 of the Core Strategy.

27. No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs.

Reason - In the interest of visual amenity, pursuant to policy DM1 of the Core Strategy.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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.

29. The window to the south elevation of the proposed building to bedrooms in apartment 9 and 22 should be obscurely glazed. The window shall be obscure glazed to a specification of no less than 5 of the Pilkington scale and shall be retained at all times thereafter.

Reason - In the interests of residential amenity and to ensure a satisfactory development, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

30. Prior to the first use of the first floor outdoor private amenity space a scheme for the provision of a privacy screen to its eastern and southern boundaries shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be installed prior to the first use of the space and shall be retained in perpetuity thereafter.

Reason – In the interests of privacy of the users of the outdoor amenity space and to reduce the opportunities for overlooking adjacent properties pursuant to policy DM1 of the Core Strategy.

31. Prior to the first occupation of the development hereby approved full details of the ongoing maintenance and management of all the soft and hard landscaping approved under condition 10 of this approval shall be submitted to and approved in writing by the City Council as local planning authority. The approved landscaping shall be managed and maintained in accordance with the agreed details thereafter.

Reason – To ensure that the approved hard and soft landscaping scheme for public and private amenity areas is appropriately managed and maintained pursuant to policy DM1 and EN9 of the adopted Core Strategy.

32. Prior to the first use of the residential element 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.

33. The commercial premises, can be occupied as A1 and A2. The first use of each of the commercial units to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

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

34. Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site, 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:

Keep Clear markings adjacent to the entrance to maintain access for vehicles entering / exiting onto Dickenson Road, including any amendments to existing Traffic Regulation Orders.

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)

### **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: 119100/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services  
Neighbourhood Team Leader (Arboriculture)  
Environmental Health  
Corporate Property  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Flood Risk Management  
Rusholme & Fallowfield Civic Society  
Moon Grove Residents Association  
Platt Claremont Residents Association

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

**Relevant Contact Officer :** Jennifer Connor  
**Telephone number :** 0161 234 4545  
**Email :** j.connor3@manchester.gov.uk



 Application site boundary  Neighbour notification  
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