

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
121375/FO/2018 and 121447/FO/2018	16th Oct 2018	25th July 2019	Piccadilly Ward

**Proposal**

- (a) Construction of a 22 storey building comprising 361 residential apartments (122 x 1 bed 2 person, 119 x 2 bed 3 person, 94 x 2 bed 4 person, 21 x 3 bed 5 person and 5 x 3 bed 6 person (34% 1 bed, 59% 2 bed and 7% 3 bed) ground floor commercial floorspace (Use Classes A1 (Shop), A3 (Restaurant and Cafe), A4 (Drinking Establishment) and A5 (Hot Food Take-away) associated landscaping, including new public realm and pedestrian route, together with servicing, cycle parking, access and other associated works following demolition of buildings at 20-22 and 24-26 High Street and 5 market stalls to Church Street.
- (b) Erection of one and two storey market stalls for flexible commercial uses (Use Classes A1, A3 and A5) at ground and first floor (following demolition of a wall) and the and related access, landscaping and other associated works (temporary 5 year period)

**Location**

- (a) 20 - 36 High Street Including Church Street Market Stalls, Manchester, M4 1QB.
- (b) Land Bound By The Northern Quarter Multi-storey Carpark, Church Street And Red Lion Street, Manchester, M4 1PA

**Applicant** ASE II Manchester Limited, C/o Agent

**Agent** Mr John Cooper, Deloitte LLP, 2 Hardman Street, Manchester, M3 3HF

Consideration of this application was deferred at the meeting of the Planning and Highways Committee on 27<sup>th</sup> June 2019 to enable a site visit to take place.

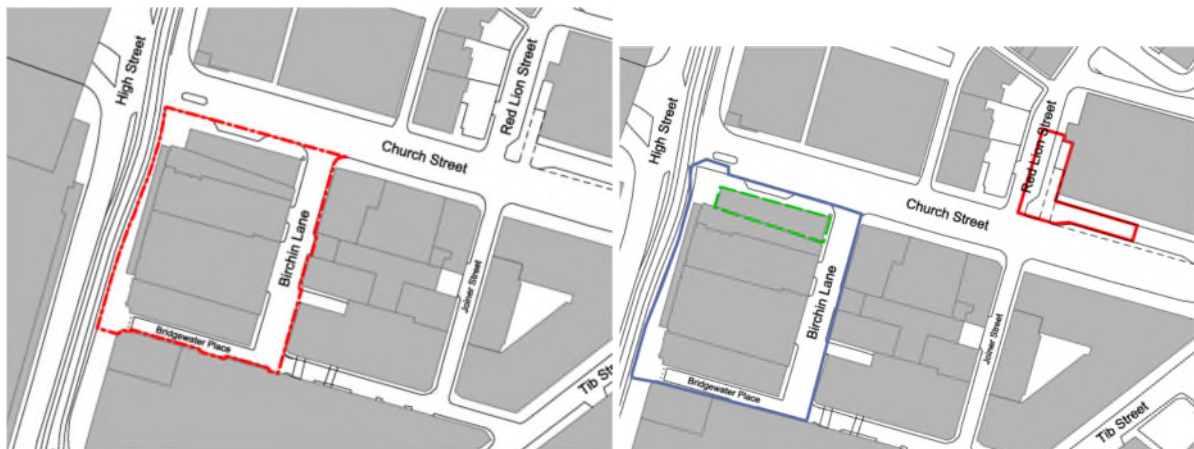
## DESCRIPTION OF SITE



These two proposals are inextricably linked and need to be considered together. The first relates to an island site measuring 0.35 ha. and bounded by High Street, Church Street, Birchlin Lane and Bridgewater Place. It is at the boundary of the Northern Quarter and the retail and commercial core and is occupied by:

- 24-36 High Street - a 1960's building consisting of a with a two storey podium with four block above. It is set back from the pavement on Church Street.
- Five market stalls on Church Street – housed within a modern steel and glass structure in front of the set back podium.
- 20-22 High Street – a four storey building which is a non-designated heritage asset.

The second site is at the junction of Church Street and Red Lion Street adjacent to the Church Street Multi Storey Car Park.



**121375 site plan**

**121447 site plan**

The report will mainly refer to the new build development on High Street and when referring to the site at Church Street / Red Lion Street will refer to the **MSCP** site.

The site is on the edge of the Northern Quarter which contains a mix of commercial and residential uses including independent businesses that help to distinguish the Northern Quarter from other parts the City Centre. The Market stalls are part of that offer. The Arndale Centre is opposite and is a major component of the retail core and also includes a growing number of food and drink operations.

The site is in the south-west corner of the Smithfield Conservation Area, close to the Shudehill and Upper King Street Conservation Areas and immediately to the north of the Grade II Debenhams.

20-22 High Street makes a positive contribution to the Conservation Area and is a non-designated heritage asset.

24-30 High Street is largely vacant and contains an NHS Dentist with a 3 month rolling lease on an upper floor with Breakout Manchester (Escape Room), a drycleaners and a bookmakers on the ground floor. 20-22 High Street contains a ground floor café and mostly vacant office space above. Transport for Greater Manchester (TfGM) has equipment in the basement which supports Metrolink.

There are a variety of uses in the surrounding area including: digital, media and technology-based companies; creative and cultural industries; an established residential population, offices, hotels and serviced apartments, retail units and independent bars and restaurants.

Church Street and High Street are dominated by traffic rather than people and the existing buildings do little to attract pedestrian activity. The canopies that overhang the footway here and at the Arndale Centre and the taxi rank discourage movement between the Retail Core and Northern Quarter.

The market stalls would be re-located to the junction of Red Lion Street and Church Street. It is opposite a cleared site which has consent for 38 apartments (113713/FO/2016) which should commence this year, and close to a bus stop. This is near to where the markets were historically located. A 7 to 10 storeys development of 183 apartments (114146/FO/2016) is under construction on a former car park on Church Street opposite the site.

There are apartments close to both sites at 4-6 Union Street (13 units), 25 Church Street (80 units), 23 Church Street (49 units) and Pall Mall House / 3 Joiner Street (169 units). Accommodation operating as the Light Aparthotel is also located within these buildings.

Buildings to the south and west are generally of a larger overall scale than those to the north. Heights in the vicinity vary from Debenhams 7 storey, Afflecks Palace 5 storey, The Birchin 9 storey, The Lighthouse/ Pall Mall 15 to 20 storey and 25 Church Street 9 storey. There is a transition in scale along Church between different character areas of the Conservation Area, from that of the commercial core to the smaller scale typical of other parts of the Northern Quarter.

The character around this area is formed in part by large individual buildings, which occupy regular and irregular sites with total site coverage. This creates a dense urban environment which is different to other parts of the Northern Quarter and the Conservation Area where there is a much finer grain.

22 High Street is a stone and brick building designed for Holmes, Terry & Co and designed by W & G Higginbottom and was completed in 1917.



Its principal elevation is to High Street and it has buff heavily rusticated ashlar sandstone at the ground floor and plinth, with plain ashlar to the upper floors. There are carved Greek inspired mask keystones to the ground floor entrance, the shop entrance and shop window. The top floor is set back behind a decorative stone balustrade which includes a section of original iron railing. The north elevation has white glazed brick, which would have originally reflected light into a partially enclosed light well/loading passage. The south elevation is simple and largely functional, with continuous groups of paired sash windows within redbrick flat arched openings. A partial demolition in 1989 altered the rear of the building footprint at Birchin Lane and Bridgewater Place. Externally the building was made good in red brick.

The internal design and planform is relatively simple, with open plan floors, some of which are now subdivided. The High Street entrance has an Art Deco style blue tiled vestibule. The stairs and lift are largely unaltered, with an original cage lift and a 1950s hoist. The sash windows have original Art Nouveau stained glass. The top floor is open to the roof structure, and consists of a steel roof structure with timber boarding to the underside. The service hoist and service stair were lost in 1989. (Images of the building's interior are included later in this Report).

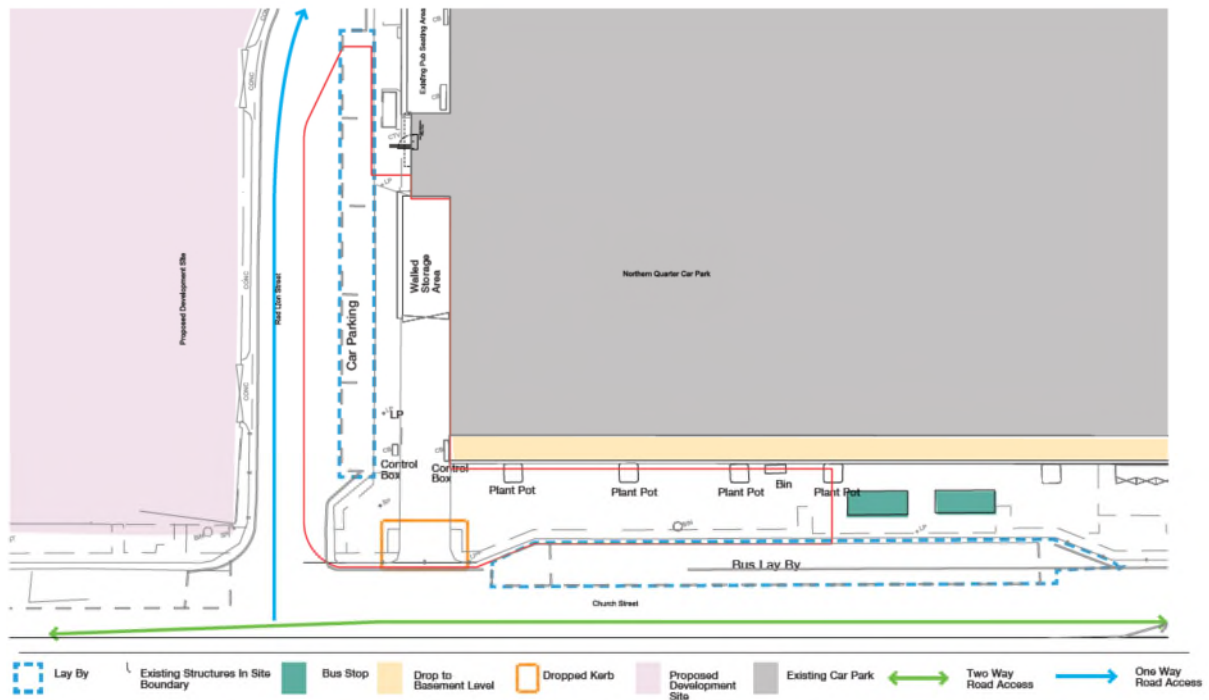
24-36 High Street is a poorly quality example of utilitarian Brutalist Architecture.

The Markets are in a steel framed arch structure. The stalls face Church Street with no communal or back-of-house areas. The traders use WC's within a neighbouring premises and take waste to the Arndale Centre.

Red Lion Street is one way to the north and into the Multi-storey Car Park. There are structures and street clutter within the site area, including a one storey brick store with metal gates; two Control boxes and a lamp post Church Street. There are a number of large planters on Church Street.

The site slopes gradually towards the bus stop but is mainly flat on Church Street and Red Lion Street. A 1.7m lightwell separates Church Street from the Car Park.

## 1.7 CONSTRAINTS



The sites are close to all forms of public transport with Metrolink stops at Market Street, Shudehill and Exchange Square and train stations at Victoria and Piccadilly. Bus services are at Shudehill and Piccadilly Gardens.



## DESCRIPTION OF PROPOSALS

The applications propose the following:

**121375-** Construction of a 22 storey building comprising 361 apartments (122 x 1 bed 2 person, 119 x 2 bed 3 person, 94 x 2 bed 4 person, 21 x 3 bed 5 person and 5 x 3 bed 6 person (34% 1 bed, 59% 2 bed and 7% 3 bed), ground floor commercial floorspace A1 (Shop), A3 (Restaurant and Cafe), A4 (Drinking Establishment) and A5 (Hot Food Take-away). It would include public realm and a pedestrian route, with servicing and cycle parking, following the demolition of 20-22 and 24-26 High Street and the 5 market stalls on Church Street.

**121447** - Erection of one and two storey market stalls for a temporary period of 5 years (A1, A3 and A5), following the demolition of a wall and access, landscaping and other associated works. This would relocate the stalls 70m further along Church Street and return them nearer to their historic position.

### **121375**

The elevations of the building would have a tripartite subdivision and a 'U-shaped' plan form, set around an internal courtyard on Birchin Lane. The High Street/Church Street corner would be splayed and it would have a mansard roof from the 15th floor with projecting dormers.

The ground floor would be double height with a mezzanine floor providing scale to the High Street and Church Street frontages. There would be independent retail and food and beverage units. A large entrance at the centre of the High Street elevation would lead into a public courtyard (365 sqm). This would have commercial units facing onto it and the residential entrance and would provide an active space which could spill out into Birchin Lane. This would re-establish routes through the site which were lost in the early 1970s. A smaller link would connect the courtyard to Church Street allowing pedestrian connections through the block. The routes and space would be managed and could be closed to keep it secure at night if necessary. The courtyard would have a canopy to provide shelter to the seating areas to encourage year round use.

There would be apartments on floors 1 to 20 that comply with, or exceed the Residential Quality Guidance (RQG) standards. A landscaped roof terrace would provide communal spaces for residents. Many apartments would be capable of adaptation to meet changing needs of occupants over time, including those of older and disabled people.

Access to the apartments would be off High Street with a secondary entrance from Church Street. Residents would be able to work 'from home' in a ground floor unit. The back-of-house and plant would be located facing onto Bridgewater Place.

The façade would be glazed ceramic panels of different sizes and textures with an undulating scallop detail, and windows set within deep reveals. The facades of the internal courtyard would have glazed white brick cladding. The glazed ceramic

would respond to different lighting conditions during the day with the undulating scalloping delivering a dynamic façade that would vary in tone throughout the day.

The ground floor shop fronts would have capless glazed curtain walling although this could be structural glazing if it is technically viable within the development budget

At its highest point the building would be 72m above ground level

The pavement widths would be increased on Church Street from between 1.8 and 4.3 m to 5.4 to 6.3m. On High Street they would increase from between 3.3 and 6.1m to 3.5 and 6.1m and on Birchin Lane from 1.5 to between 1.8 and 3.6m. Changes to Bridgewater Place would be negligible.

Fumes would be extracted via internal risers or via ground level vents within the frontages of the ground floor commercial units. There would be 116 cycle spaces on the ground floor and 154 on the mezzanine. The ground floor spaces could be accessed internally from the common circulation area and externally off Birchin Lane. The spaces at the mezzanine level could be accessed via the common circulation and lift core to avoid the need for stair rails.

16 Sheffield cycle stands would be provided in the public realm at Birchin Lane and could be used by visitors. No on-site parking is proposed and initial discussions with nearby parking operators indicate that contract parking could be available. A Framework Travel Plan has been submitted in support of the application.

Ventilated refuse chutes would be on each floor by the main lift. A tri-separator would allow residents to sort waste (general; co-mingled; and pulpable) for recycling. The refuse store would comply with 'GD 04 Waste Storage and Collection Guidance for New Developments Version: 6.00' with 0.43sqm of space per apartment.

The retail/restaurant refuse store would be off the central courtyard. The exact specification would depend on the nature, layout and requirements of the tenants. A detailed refuse strategy would be produced once tenants are identified. A designated lay-by for retail deliveries would be located on Birchin Lane.

The apartments would be sold on the open market and a dedicated management company would be established for the block. A draft Residential Management Strategy addresses secure access, the 24 hour staffing of a concierge desk, upkeep of communal areas and the co-ordination of waste storage and disposal.

The Site is located in a low flood risk area (Zone 1) and in a Critical Drainage Area.

## **121447**

The relocated stalls would include a management office, accessible toilet, store, a refuse store and outside seating. There would be three stalls on Church Street and two on Red Lion Street. An external seating area bounded by planters would be located across a walkway on Red Lion Street.



Retractable shutters would be used to provide shelter when open. The entrance would be at the northern end of Red Lion Street and include a platform lift and staircase to the first floor with a stair on Church Street. A refuse store would be accessed off Red Lion Street. The aim has been to maximise the street presence of the markets. The footway width on Church Street in front of units would exceed 2m when they are open except for in front of Unit 5 where the clear access route reduces to 1,7m.



There would be a roof terrace with seating and tables for customers of the upper floor food units. The upper floor of unit 5 would be back-of-house or stock store. The final distribution and division of units would be determined with Manchester Markets. The units would be constructed from a mixture of pressed and flat sheet aluminium with setback coloured metal backed mesh shutters.



Six 240L Eurobins would be stored at the new site (The traders currently take waste to the Arndale Market). Refuse vehicles would load off peak from Red Lion Street. Deliveries would use a lay-by on Church Street. A platform lift and stairs would provide access to the first floor. It would be used by disabled people and for goods/refuse transfer and its size would meet accessibility requirements.

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

Blue - Pulpable material (recycled) - paper, cardboard, tetrapak etc - 1 x eurobins  
Brown - Co-mingled material (recycled) - glass, cans, tins, plastic etc – 1x eurobins  
Green - Organic waste (recycled) - food stuffs etc - 1 x 23l bins  
Garden Waste 1x Eurobin  
Black General waste (non-recycled) - all non-recyclable 1 x eurobins

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

In support of the proposal, the applicants have stated

- The Applicant has worked closely with the local community and other stakeholders throughout the pre-application process. Extensive consultation was undertaken, including with the existing Church Street market stall holders and the Northern Quarter Forum. The approach of the project team has been to respond positively to consultation comments and to consider these comments as part of the design evolution. Overall the feedback has been positive with consultees welcoming the comprehensive redevelopment of the Site.
- The applicant ASE II Manchester Limited is part of CEG. CEG manages a 10.5 million sq. ft. portfolio of commercial space around the UK which is home to more than 1,000 businesses. The company is also bringing forwards 8,500 acres of land which can deliver 45,000 new homes and 10 million sq. ft. of commercial space.
- CEG's approach is to work with local communities to ensure proposals are evolved that are best suited to the local area, providing solutions for important issues such as integration with existing communities, meeting housing and employment needs, provision of new facilities and enhancing the local environment.
- CEG has a proven track record of delivering strategic projects with a focus on place making; delivering inspired space for lives to flourish, neighbourhoods to grow and for businesses to develop;
- The proposed landscaping and public realm treatments will revitalise this part of the City, into a welcoming destination which is accessible to all.

This planning application has been supported by the following information

Design and Access Statement (including Waste Management Strategy Lighting and Landscape and Public Realm Strategy) Archaeological Assessment  
Commercial Management Strategy  
Crime Impact Statement  
Ecological Assessment  
Ecological Assessment  
Energy Statement  
Environmental Standards Statement (Sustainability Strategy) Flood Risk Statement and Drainage Strategy  
Residential Management Strategy  
Statement of Community Consultation  
TV Reception Survey  
Ventilation Strategy  
Viability Assessment

Environmental Statement: with the following Chapters

Introduction  
Construction Management and Phasing Air Quality  
Heritage Assessment  
Noise and Vibration  
High Street Manchester – Planning and Tall Building Statement  
Sunlight, Daylight and Overshadowing Assessment – Townscape and Visual Impact  
Transport  
Wind  
Cumulative Impacts  
Non-Technical Summary

**Land Interest** - The City Council has a land ownership interest in the site and Members are reminded that in determining these applications they are discharging their responsibility as Local Planning Authority and must disregard the City Council's land ownership interest

## **CONSULTATIONS**

**Publicity** – The proposals have been advertised in the local press as:

A development accompanied by an Environmental Impact Assessment, a major development, affecting the setting of a listed building and the setting of a conservation area (121375); and,

As a public interest development, affecting a right of way and the setting of a conservation area (121447).

Site notices have been placed adjacent to the sites. The occupiers of adjacent premises were notified (1277 letters 121375 and 632 letters 121447) and 54 letters of objection have been received on 121375.

A further 10 day notification of neighbours (121375) took place when it emerged that some of the tables within the Sunlight, Daylight and Overshadowing Chapter within the Environmental Statement were incorrectly formatted. 9 more objections have been received some of which re-iterate previous comments (all 9 letters came from people who had already objected in response to the original notification) This did not present any additional analysis of the impacts compared with the initial Report, which formed the basis of the previous notification), but merely corrected some numerical errors in some of the tables. It did not affect the analysis or conclusions.

Many objectors support the principle of the regeneration / redevelopment of the site but oppose the form proposed. The objections relate to the impact on adjacent Listed Building and the Conservation Area, loss of 20-22 High Street, design and scale, loss of sunlight and daylight, privacy and overlooking and Traffic, Highways and parking.

### Design and scale

- Unacceptable in terms of scale, relation to context and nearby buildings;
- Should be a higher quality and reference the traditional brick architecture;
- Would tower over other buildings such as 25 Church Street and would be detrimental to the local environment;
- At 3 x the height of the existing and 2 x the height of the majority of adjacent buildings it would be out of character with the area;
- Scale would be overbearing and out of context with the setting of the Conservation Area where there are no overbearing buildings;
- The mansard roof should start lower down the building to reduce the impression of scale and massing and impact on existing residents;
- Not in keeping with the architectural traditions of the Northern Quarter but a generic high rise that can be found anywhere and will look tatty in 10 years; the proposal disregards the Smithfield conservation area guidance where guidance suggests *'New buildings in Piccadilly, Market Street, Church Street and the southern parts of High Street and Oldham Street should relate to their immediate neighbours which are up to seven storeys high.'*

If the guidance is not be applied rigorously across the quality and character of the conservation area would be eroded. To suggest that the height should relate to buildings further away because it is visible from further away, is an example of circular logic.

The applicant refers to is the Light – but this has a significantly smaller footprint and the tower is set back from the pavement by approx. 20m. High Street is taller in height and at back of pavement. If by 'the illustrative views show that Debenhams is dwarfed.

- That the new plans do look fantastic but the current building is a cracking piece of powerful and distinctive architecture from its era. Its style has largely fallen out of favour but is a building of interest to Manchester. The demolition of 24-6 High Street would be a mistake and would erase a building whose architecture tells a tale of a key part of Manchester's history.

#### Impact on Non designated Heritage Assets within Site

- The loss of the existing building would have an adverse impact on the City's built heritage and it should be incorporated in the scheme;
- Would have an unacceptable impact on the unique character of the Northern Quarter.
- The façade should be incorporated into the development;
- Irreplaceable buildings which appear to be in good order should be preserved.

#### Impacts on Amenity

- The construction would generate noise and dust and windows would need to be closed which would be an inconvenience and the full impacts must be fully considered and communicated;
- Adverse impacts on residents outlook would decrease the quality of their lives;
- Church Street is a busy residential area that is being overtaken by commercial entities which is not sustainable or fair to residents;
- More cafés / restaurants/ bars and nuisance would impact on the Northern Quarter and on the quality of living for long term residents; The permission should be limited to classes A3, B1 and D2;
- The bin store and plant room are directly opposite the entrance to The Birchin on Joiner Street. Rubbish could be left on the pavement opposite the front door with visual impact, smells and increased vermin, as well as difficulties with access for refuse wagons.
- Noise would be audible in adjacent apartments and the scale and massing to Birchin Lane would cause disturbance to adjacent residents due to tunnelling effects;
- It would exacerbate high and unacceptable levels of air pollution through its construction, design (trapping air within canyons created by tall buildings) and following completion due to increased levels of traffic associated with the development;

- It would have inadequate levels of refuse provision;
- The wind impacts have not been adequately dealt with;
- The area around the site would become overcrowded noisy and dark;

#### Effect upon living conditions of existing residents

##### Daylight, sunlight and overshadowing impacts

- There is no evidential basis for the conclusions of the Sunlight and Daylight Assessment that impacts of moderate to major significance which might be noticeable to residents would, when considered in the context of the retained levels and the urban context, have an overall effect which would be of minor adverse significance and this needs to be quantified
- It could be argued that the additional impact of a building 3 x higher is unacceptable even where windows already have a low VSC:
- The significance of the effect on windows in Birchin Lane is considered to be of no greater than moderate adverse significance.' (Paragraph 9.122 p. 109, Environmental Statement Volume 1) directly contradicts the evidence of the modelling and demonstrates a clear lack of understanding of the methodology which has been followed. Of 12-16 Church Street, the Environmental Statement states:

'Due to the increase in the scale of the massing on the site compared to the existing buildings and the very narrow separation distance between this building and the site, all of the 23 site facing rooms will experience changes in VSC which are of major adverse significance in percentage of baseline terms.' (Paragraph 9.130 p. 110, Environmental Statement Volume 1)

This does not require any further explanation. Despite these adverse effects on daylighting, the statement concludes that:

'Whilst the construction of the proposal will cause some daylight and sunlight effects which are greater than minor adverse in significance, no further mitigation measures, other than the design of the scheme itself, are offered.' (Paragraph 9.181 p. 117, Environmental Statement Volume 1);

- This development could cause some extreme loss of light for the majority of occupants in some adjacent buildings as the existing building on the site is only 6 storeys. This would be dramatic as many apartments facing the site have just 2 windows, both of which face it. Converted buildings can have unusual layouts with windows lighting rooms other than those they are situated in. The loss of light is more severe than suggested. Reducing any of this natural light will result in some rooms being unusable. The dramatic change in light is recognised in the Daylight and Sunlight Assessment: identifying instances where rooms experience VCS alterations which are of major adverse. The majority of rooms will experience similar



levels of changes in NSL. This suggests that the occupants of these rooms are likely to notice a change in the level of their daylight amenity as a consequence of the construction of the proposed development." The height should decrease to 6 storeys to remove these adverse effects.

- If the applicant claims that they do not intend to trivialise the impact of the scheme they should produce views of the building in context on Church Street. The views provided only show 7 of the proposed 22 storeys.

#### Impacts on Privacy

- It does not afford adequate privacy and no mitigation is proposed; This would restrict the use of adjacent balconies and every room in some buildings would be overlooked;
- Windows would be 7m from windows in the new development. Residents will have to close the curtains and block out whatever little natural light there is.

#### Traffic, Highways and parking provision

- More traffic would make congestion worse and affect quality of life;
- How and where would construction vehicles and staff gain access for parking and unloading without causing a hazard or inconveniencing neighbours;
- Closing the back streets entirely to non-essential traffic should be considered to create a better environment and reduce traffic noise and impact;
- Some integral parking should be provided. Surface parking has been lost. The Tib Street development has 60 spaces within the Church St MSCP and there should be a similar provision here. It would increase on street parking.

#### Impact on Markets

- The market which has operated for 50 years and is a bustling commercial environment which attracts shoppers and tourists to the area would be destroyed. The impact would be catastrophic on business within the market area and will eradicate the livelihoods of the market stall holders which are all small businesses.
- The proposal is not in keeping with the area and will damage the community and culture which has developed around the market stalls, customers and visitors. The unique character of the neighbourhood will be eradicated as a consequence of the development.
- There has been a complete lack of information from both proposed developers and council officials in relation to what is happening in terms of the proposed relocation of the market to the adjacent side of Church St.

## Other Issues

- The proposals are contrary to the Core Strategy policies DM1 and H2.2, the NPPF and Practice Guidance in relation to paragraph 25 and the Guide to Development.
- A live music venue would be lost which is killing off night life and shopping. The Ruby Lounge is one of the last places that real Mancunians can actually enjoy themselves;
- The lack of affordable housing is unacceptable;
- Inadequate consideration of how emergency vehicles would access and deal with fires around the site which was an issue recently at Pall Mall House;
- The public consultation was flawed as it asked questions relating only to the principle and not the form of development or options;
- Property values would decrease;
- The new residents would put unacceptable strain on on infrastructure including dentists, GP's and access to green space;
- The apartments are rental only which will lead to a transient population which is not compatible with the creation of a sustainable community;
- The Planning Department can ascertain from the developer's financial viability appraisal that scaling back the height and density by several floors is feasible without making the scheme unviable:
- The Church Street market stalls are important to the Manchester Community and should not be removed;
- The council have done a tremendous job of marketing Manchester to the country, and the world on the basis of its industrial heritage. Individual areas of the city should maintain their individual personalities. The council has implemented an excellent programme of building high-rise apartments in other areas of the city to accommodate the growing population, where they are less intrusive on the existing buildings. If the Northern Quarter is to maintain its identity, and to deliver on the promise extended to those relocating to Manchester of a quirky, independent environment, this location needs a building which respects and preserves its traditions: a building where independent retailers can still run their one-of-a-kind second-hand bookstores and organic groceries;
- The Light Hotel only occupies the upper floors of the building floors 1-9 are residential and this is not reflected in the submission;

- The creation of a city comprising high rise buildings is rendering it inhospitable catering to the needs to wealthy developers rather than its citizens.

The developer of the adjacent development site at the junction of Red Lion Street and Church Street has requested that the continuity of the delivery of their development is considered as part of any Construction Management condition attached to any consent granted.

Commenting following the re-notification, one objector made some specific comments on the Sunlight and Daylight analysis

This has examined Church Street in more detail as the street with the most affected windows, (although notes that the windows of the properties on Bridgewater Place and Birchin Lane (Joiner Street) will be considerably more adversely affected due to their closer proximity to the proposed development)

They note that on floor 1 of Church Street the angle of obstruction from the centre of the windows as a result of the proposal will be **70 degrees**. On floor 6 the angle of obstruction will be **64 degrees** On Bridgewater Place and Joiner Street the angle of obstruction is greater than 80 degrees on floor 1.

They state that according to the BRE Guidelines, the target for VSC should be 27%. If VSC is between 5% and 15% it is very difficult to provide adequate daylight unless very large windows are used. If VSC is less than 5% it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed.

Therefore, according to their analysis and the BRE guidance, it would be impossible to achieve reasonable daylight to any windows below the 6<sup>th</sup> floor in Church Street due to the obstruction caused by the proposal.

A similar analysis can be conducted from the data in Appendix 9.2 of the Environmental Report. According to this data, as a result of the proposal 163 of 277 windows on Church Street will have a VSC of below 15%, and 52 windows will have a VSC of below 5%.

In other words, it would be very difficult to impossible to provide adequate daylight to the majority (59%) of affected rooms on Church Street due to the obstruction caused by the proposal.

- They also note that the authors of the Environmental Report state that BRE Guidelines do not constitute planning policy:

*'The advice it gives is not mandatory and should not be used as an instrument of planning policy... In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the heights and proportions of existing buildings'.*

(Environmental Report, p. 93)

It is their contention that BRE are recognised expert witnesses concerning daylight assessment and they do believe their guidance is pertinent and represents a reasonable interpretation of the relevant areas of planning policy concerning daylight and sunlight, as listed below:

National Planning Practice Guidance:

*‘Some forms pose specific design challenges, for example how taller buildings meet the ground and how they affect local wind and sunlight patterns should be carefully considered.’* Paragraph 25 (Reference ID 26-025-20140306)

Local Planning Policy:

*‘The Council will not allow development which will have an unacceptable impact on residential areas.’*

Policy H2.2, Saved Policies of the Manchester Unitary Development Plan (2007)

*‘All development should have regard to the...effects on amenity, including privacy, light...’* Policy DM 1, Manchester Core Strategy (2012)

*‘It is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones...’*

*‘New developments must respect the amenity and character of existing homes...’*  
Paragraphs 2.14, 11.37, Guide to Development in Manchester, Supplementary Planning Document and Planning Guidance (2007)

Nonetheless the applicants suggest that the proposed development represents an example of ‘special circumstances’ where the BRE target for VSC of 27% should not apply, as this ‘requires that there is no obstruction in front of the window that is higher than 25 degrees’ which is ‘rarely achievable in an urban or City centre environment’ ).

Citing Appendix F of the BRE Guidelines, they note that the authors of the Environmental Report propose instead that in a city centre:

*‘A typical obstruction angle from ground floor window level might be close to 40°. This would correspond to a VSC of 18%, which could be used as a target value for development.’* (Environmental Report, p. 100).

They have therefore examined the applicant’s proposed VSC target of 18% to study the impact this would have on the massing of the proposed development. As shown below, this would result in a massing that closely matches the heights and proportions of the existing buildings on Church Street, as both the BRE guidelines and the Smithfield Conservation Area Statement recommend. However the design as proposed does not appear to take any account of the implications of this target.

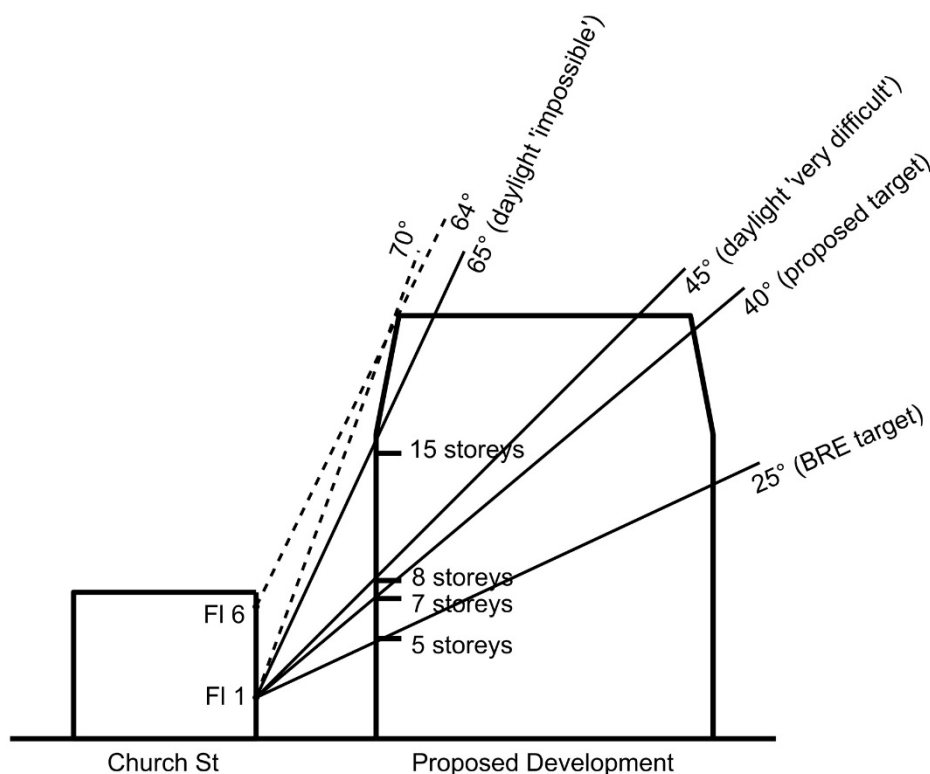
They note that BRE Guidelines recommend that a ‘limiting envelope’ is generated, ‘giving the maximum size of the development for loss of light to remain within the

BRE guidelines.'

They note that the architect has undertaken a similar process very successfully at Broadcasting Place, Leeds, where the form of the building, placement and shape of the windows was optimised for daylighting

As an indicative exercise they have taken the BRE target of 27%, the proposed target of 18%, as well as notional reduced VSCs of 15% – described by the BRE as 'very difficult to provide adequate daylight' – and 5% – described as 'impossible to achieve reasonable daylight' – and overlaid the corresponding obstruction angle from Church Street onto the massing of the proposal.

If the BRE target were to be met, the proposal should be limited to 5 storeys. If the applicant's own target of 18% were to be adopted, the proposal should be limited to 7 storeys approximately the same eaves height as the existing buildings on Church Street. If a notional target of 15% were to be adopted, the development should be limited to 8 storeys. Even if a target of 5% were to be adopted, the proposal should be limited to 15 storeys.



Daylight	VSC	Obstruction angle	Storeys
BRE target	27%	25 degrees	5
proposed target	18%	40 degrees	7
'very difficult'	15%	45 degrees	8
'impossible'	5%	65 degrees	15

Instead the proposal has an arbitrary height of 22 storeys. As the above drawing



shows, the mitigating impact of the proposed mansard setback from floor 16 upwards is negligible.

Clearly the proposal does not 'miss' BRE targets by an incremental amount, but systematically fails to meet either BRE targets or the proposed targets set out in the Environmental Report. Despite this, the Environmental Report concludes that there will be 'Negligible to Moderate Adverse effects on the daylight and sunlight amenity to the surrounding residential properties'

In relation to the modelling of daylight (ADF) they note that the 'Sunlight / daylight analysis specifically prompted the inclusion of light glazed bricks and reduced façade depth to aid light reflectance into neighbouring buildings'. It is not clear how the modelling undertaken has accounted for reflected light from the proposal however they note that the BRE Guidelines state that:

*'Maintenance of such surfaces should be planned in order to stop them discolouring. And often the benefits may not be as great as envisaged, partly because of ageing of materials and partly for geometrical reasons. The vertical surface of an obstructing building will only receive light from half of the sky. If it is itself obstructed, less skylight will be received and reflected. Thus even if it is light coloured its brightness can never approach that of unobstructed sky.'*

They note that no maintenance strategy has been provided.

They also note that according to BRE Guidelines and BS 8206-2 Code of Practice for Daylighting, an ADF of 5% is recommended for a well day lit space and 2% for a partly day lit space. Below 2% a room will appear dull and electric lighting is likely to be turned on. BS8206-2 recommends minimum values of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. There are no recommended maximum values, however 'achieving 2% in living rooms, for instance, will give improved daylight provision, and 3% or 4% would be better still' (BRE Guidelines, p. 4

The modelling that has been conducted does not show the total number of rooms that will be affected by reduced ADF. However, throughout the Environmental Report, the authors refer to the base minimum standards from BS8206-2 as 'recommended levels' (see pages 108, 110, 111, 115, 116).

They believe that it is not clear how the modelling takes the supposed reflectance. Into account, and the modelling of the neighbouring buildings has been simplified. For example, the depth of the window reveals and fenestration have not been correctly modelled in detail. It is also not clear what assumptions have been made about room areas in the calculations. This will have a significant impact on the ADF measurements stated.

Even taking these assumptions into account they note that the analysis shows that BRE minimum standards for ADF are not met.

In relation to the public consultation they note that the Statement within the submission about the public consultation that was conducted are factually incorrect as at no point was feedback on the actual submitted design sought. This is

confirmed by the Statement of Community Engagement in the Design and Access Statement (p. 37). The timeline of Design Evolution (pp. 42-43), also shows that no consultation was conducted between 'Massing Options' in 2017 and 'Massing Finalised' in early 2018.

Initial massing options are described by the architects as 'unsatisfactorily disjointed and overly tall' (p. 42). One option appears to show a step back at lower level to Church Street (lower right corner). This option is rejected in favour of the final massing, which appears to be the same height as those described as too tall. There is no evidence to show that the impact of the different massing options on levels of daylight has been tested as per BRE Guidelines, and at no stage were any of the proposed massing options depicted in the Design and Access Statement presented to the public.

Whilst the re-notification related just to issues with data presentation within the submitted Sunlight, Daylight and Overshadowing Chapter of the Environmental Statement a number of previous objectors have re-iterated their previous comments which are detailed above. However, some additional comments have been made as follows:

That the scale and location of the commercial refuse store is inappropriate, making it likely that commercial refuse will be left on Birchin Lane or Church Street for indefinite periods of time.

That noting a new plan provided to show Refuse Vehicle access to Bridgewater Place and a Consultation Response from Deloitte which states that:

*Turning movements at the Bridgewater Place have been reviewed and no longer encroach on kerbs/buildings. It is, however, likely that most service vehicles will exit Birchin Lane via Bridgewater Place rather than Church Street, avoiding significant reversing movements.* (Consultation Response, p. 11)

Points out that Bridgewater Place is a cul-de-sac. Service vehicles will be required to reverse regardless of exit route. Furthermore, despite the additional commercial units proposed for the site an existing loading bay on Church Street has been removed and replaced with a half-width bay on Birchin Lane. This bay will be in frequent use, potentially blocking access to Bridgewater Place for both waste disposal and emergency vehicles.

**Manchester Conservation Area and Historic Buildings Panel** – The Panel felt the existing building to be poor but has more significance as not many of this architectural style remain. Its massing relates well to other buildings in the conservation area and it fits in with 22 High Street and Debenhams. They questioned how the demolition of the existing buildings and the erection of the proposed would contribute positively to the character of the conservation area. There is generally a uniform building height on High Street and the proposal would have a detrimental impact on Debenhams and dominate the street scene.

They were disappointed that it paid no regard to 22 High Street. The High Street elevation of Debenhams is especially sensitive. They felt the building was generally high quality in terms of its design and detailing, well-articulated using high quality materials. They had concerns over the details on the Mansard, stating it would be difficult to get this detailing right, over the bizarre non 45° corner on Church St. They also felt that the dormer/bay windows looked too busy and the scheme would improve if nearer the precedents the applicant had proffered. While the Panel felt ceramic buildings often exude quality they questioned whether different texture, colour and/or a larger module at lower levels would weather more successfully in this harsh urban environment. They advised that the building clarify the hierarchy of entrances and there should be more grandeur and scale to the residential entrance.

Whatever the merit or not of the existing building, its main function is the setback which allows the market stalls to be there and forms an 'easy' corner between High St and Church St. This area is an important connection between the Northern Quarter and High Street. The proposal would continue a forbidding line of development on High Street and increase the disconnection to the Northern Quarter.

The proposal should preserve the building line on Church Street and retain no. 22 High Street. The building would then subtly respond and relate to its surrounding buildings. They considered the market stalls to be in a good location and an important nodal point between the Arndale Centre and the Northern Quarter and also provided an important pausing point. The scheme would not enhance the character of this part of the conservation area. They considered it to be a standalone building which would have a detrimental impact on surrounding buildings. The Panel would like to see the new markets moved and relocated before any approvals are given and development commences. The Panel noted that this is a fundamental building/site in the conservation area.

**Places Matter – Made a number of observations on the proposals at a pre-application meeting which are summarised as follows:**

**Architecture and Massing**

- The whole city block sits on a prominent corner, which is capable of taking this scale of development, in an area that currently lacks any consistent form.
- The metropolitan scale of the proposal was felt to be refreshing and a really interesting response to the pressures of accommodating additional upper floor space.
- The way the building hit the ground, with the invitation to enter the courtyard helping to break up the mass at ground floor and drawing people through the building through the use of space and the proposed market stalls was supported.
- More should be made of the key entrance point on Market Street, which

needs a more exaggerated scale to make it yet more metropolitan and to really tell people that there is a courtyard behind.

- The oversized door to Debenhams could be translated across to this block and you should seek to ensure that the lines from that building read across to the new building.
- The proposals were considered to be almost too reverential to Debenhams and there was encouragement to explore raising the Church Street / High Street corner.
- There is a strength and elegance in the overall approach and the panel was tantalised by how close you are to creating something that Manchester does not currently have, but you must ensure that daylight and life style quality for residents are maintained.
- Materiality above the cornice line will be a critically important decision; currently the visuals show the scheme as all one material. It could be different and you should consider how best to address the corners of the building and whether High Street / Church Street is the major corner of the building
- The ordering of the façade, with its mathematical rhythm and connections across to Debenhams was commended.
- References to mirror London Mansion Blocks were supported along with the intention to create an exaggerated Mansard above the cornice line and “melt” the roofline.
- The position of the string course were considered to be critical in maintaining the scale and clarity of the proposition in context with Debenhams.
- The option for retaining the existing older building adjacent to Debenhams was debated and it would have been interesting to see how that might have ‘bookcased’ the two buildings. On balance the scale and challenge of the block itself was seen as most important.
- Material choices should seek to retain the lightness of the bundling, which was felt to be very interesting. It was stressed that in creating a building of such scale, the requirement for high quality materials and detailing must match this imposing scale.

#### Landscape and Public Realm

- The approach to seeking to channel people through the building and make the links between the Arndale Centre and the Northern Quarter was supported.

- Noting the robustness of the surrounding public realm there is a need for weighty materials and strong edges, which need to be maintained and carried through in to the building courtyard.
- Given that this is a proper city building block and the Birchin Lane side could be a very interesting space if brought fully in to the courtyard. Similarly, the service zone to Bridgewater Place needs to be wrapped in through the use of high quality materials.
- At 18m2 the courtyard is not a big space and you should strive to make it bigger if possible and see how it might add more daylight to the lower apartments.
- Internal arrangements need further consideration such as other options for entering the residential elements via the courtyard and the position of the bike store was felt to compromise the courtyard in terms of drawing people in and in maximising the opportunity for retail and market uses.
- The notion that the courtyard could be a hybrid space, somewhere between a courtyard and a covered arcade, was supported, so long as it retains a sense of being 'of Manchester' and does not move towards becoming a slick city solution.
- Integration with the wider public realm will be critical to the success of the space.

## 121375

**Ward Councillors** – An objection has been received from Councillor Wheeler which states that the application does not meet council policy on affordable and social housing, offers a derisory amount of S106 for the scale of development, and makes no real contribution to the ward. No Mancunian is spending £450,000 to overlook the Arndale.

Councillor Adele Douglas notes that Historic England has recommended that the proposals are refused, or resubmitted in 'significantly amended form to take more account of the conservation area character and the associated scale, height and grain. This would require significantly reducing the overall scale of the development and reconsidering its form.'

She believes that the impact of the proposal on the historic setting of the Smithfield Conservation Area would be large, as it would dominate the views and remove attention from the heritage assets in the area.

She is also concerned about the responses given by the developer to these concerns; the applicant seems to be suggesting that because the site is nearer the edge of the conservation area that it is acceptable for the edges of the conservation area to be eroded in quality and character – She is aware that there is current work



on the reassessment of the Conservation Areas but this has not yet happened and it is for officers, not developers, to decide where these boundaries lie. Additionally, to have a scale relating not to the conservation area but instead to 'large retail and commercial palaces' further away in the city does not seem in keeping with the spirit of either the planning laws nor the heritage protection guidelines. To suggest that it is appropriate for the upper levels of a building to relate to further distances away, simply because it is visible from further away, does not make sense, especially when not taking into account the effect on the buildings in the direct area.

She would welcome a refreshed proposal that is more in keeping with the area and that has a neutral or positive impact on the heritage setting, as at present this one has a negative impact.

**Historic England** – Have concerns on heritage grounds. Given the mixed significance, they would have no objection to re-development in principle. The incorporation of ground floor commercial units and courtyard is welcomed, the loss of the market stalls would affect vitality. 20-22 High Street contributes positively to the conservation area in townscape terms and its demolition would cause harm. The conclusion within the Heritage Statement that the building as a whole has low aesthetic value is misleading, given the front elevation is very fine and clearly makes a positive contribution to the conservation area.

Re-establishing the historic street layout is welcome and relates architecturally to the civic character of many early 20C buildings, but they have serious reservations about its form, bulk, mass and height. Its massive proportions and ungainly mansard form, is accentuated by the pale materials and the repetitious architectural treatment resulting in a monolithic and top heavy appearance. The building would be much larger than the Ryland's Building with a dominance that is out of scale and character to its surroundings. They believe that it would cause harm to the conservation area, particularly the townscape character and skyline along High Street.

They note that all development should comply with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 66 of the Act also applies in relation to the setting of nearby listed buildings. Developments should respond to local character and history, and reflect the identity of local surroundings and materials (NPPF 127). They state that while the development responds in part to its context architecturally, the loss of the existing historic buildings at 20-22 High Street and the scale and mass of the replacement building would cause harm that neither sustains or enhances the significance of heritage assets (NPPF 192), nor preserves or enhances the character and appearance of the conservation area. They consider that this harm lacks clear and convincing justification (NPPF 194), given that other historic buildings have been viably retained and converted elsewhere within the conservation area and recent new development nearby is of a much lower scale.

They note that the resulting harm would, therefore, need to be judged in relation to any public benefits that the proposals may bring (NPPF 196) but that it is still necessary for the justification for the harm to be fully credible.

They recommend that the proposals are refused or withdrawn and significantly amended to take more account of the conservation area character and its scale, height and grain. Its scale should be reduced significantly and its form reconsidered to reduce the harm to the conservation area and better relate to other buildings along High Street. Retaining 20-22 High Street would also help to preserve and enhance the character and appearance of the conservation area.

Following a response from the applicants to these comments they made the following additional comments:

Many historic buildings have been replaced by undistinguished late 20C buildings, such as the Arndale Centre. These are to the west of High Street and outside the conservation area. However, the eastern side of High Street from Shudehill southwards has a number of fine historic buildings which form an attractive townscape, with the exception of 24-36 High Street and are within the Smithfield Conservation Area. The proposal would harm this character and appearance.

The Rylands Building and 20C historic buildings on the junction with High Street form an important focal point visible from High Street. Debenhams remains a key landmark building in visual and perceptual terms within the shopping centre area, with its corner turret clearly visible in the approach along High Street from the north.

The buildings on High Street within the conservation area have a reasonably regular building height, with a range of 5-8 storeys. The exception is 24-36 High Street, with a podium that is much lower and out of character in the street. This allows views of the Light Apartments to the rear, which are otherwise set well back from High Street. If the site was re-developed on a more contextual basis, respecting the existing heights along High Street, this would both enhance the conservation area and largely remove the prominence of the Light Apartments from the street scene.

The Arndale Centre is not dominant in terms of height on views along High Street and its mass respects heights on the street. However, it relates poorly to the historic buildings opposite because of its poor architectural quality, horizontal form and lack of architectural variety. The Arndale centre should not be used to justify further development that is poorly related to its context.

They also comment as follows:

1. The loss of market stalls would affect street vitality but they welcome the proposal to develop a market to front the Church Street multi-storey car park.
2. The options appraisal and viability assessment are matters for the Council to consider. 38 High Street was re-developed at 8-9 storeys and the site on Tib Street has been re-developed at a similar scale. Clear and convincing justification why re-development at a similar height is not viable would be required to satisfy the requirements of the NPPF. We disagree that developing the whole site would be beneficial to the street scene given that the existing building at 20-22 High Street clearly makes a positive contribution in heritage terms.

3. The assessment of 20-22 High Street as having a “low value” is not credible. The building was design by local architects of good reputation and has a fine frontage onto High Street in the classical style, incorporating some highly attractive and characterful stone detailing. A site visit would enable its qualities to be appreciated.

It is not within their remit to comment on the viability assessment but note that an argument has been made regarding the lower height of 20-22 High Street resulting in a “disjointed” streetscape if it is retained. However, the existing building is well related in terms of its character, form and appearance to other historic buildings within the conservation area. Indeed, the Ryland’s Building steps down to better relate to it. Replacing it with a proposed building of such massive proportions that is out of scale with its surroundings is far more likely to result in a disjointed streetscape. They remain concerned on heritage grounds

**TfGM (Metrolink)** – There is critical operational Metrolink traction power and communications equipment in the basement of 22 High Street and any impact could cause major disruption to significant sections of the network. The equipment would be retained within a smaller basement. A strategy must be agreed to fully protect the network from disruption and ensure there is no damage to infrastructure or disruption to service during the development. An access, fire, ventilation and maintenance and security, strategy is required to enable Metrolink to operate effectively once the works are complete. Other related issues have been considered in relation to working safely near Metrolink, noise and vibration, mitigation of thrown objects from the roof gardens and Overhead Line Fixing (OLE) and replacement and a number of conditions relating to Protection strategy for TfGM equipment within the basement of the building; Protected, safe, secure and convenient 24 hour, 7 days per week access; Working Safely Near Metrolink; Noise and vibration mitigation; Mitigation of thrown objects from roof gardens; and inclusion of OLE fixing have been recommended.

TfGM are working with the developer to arrive at a commercially suitable solution for the loss of the basement space which will run in parallel to the technical protection solutions. There have been no discussions to agree the Commercial Deal in relation to their interests in the site.

**Head of Highways-** Have no objections subject to agreeing a Servicing Management Plan, the adoption of a Travel Plan, the submission of a Construction Management Plan, making good for footways and improved lighting being attached to any consent granted.

**Head of Regulatory and Enforcement Services** – (Street Management and Enforcement) - Has no objections but recommends that conditions relating to the , mitigation of vibrations from the tram network, acoustic insulation of the premises and any associated plant and equipment, management of air quality, the storage and disposal of refuse, fume extraction, the hours during which deliveries can take place, the management of construction and the investigation and treatment of any contaminated land be attached to any consent granted

**Greater Manchester Police (Design for Security)** – Have no objection subject to the recommendations contained in the Crime Impact Statement being implemented as part of the scheme.

**Greater Manchester Ecology Group** – Have no objections and note that no evidence of bats was found and no further information or measures are required. They have made recommendations about elements to enhance biodiversity.

**Flood Risk Management Team** – Have recommended conditions to ensure surface water drainage works are implemented and verified in accordance with Suds National Standards.

**Environment Agency** - Have no objections but recommend conditions to mitigate risks to adjacent ground and controlled waters; that guidance set out within their document 'Guiding Principles for Land Contamination' is followed; and, a condition to prevent unacceptable risk to groundwater from piling.

**United Utilities** -Will have no objection providing specific conditions ensure that no surface water is discharged either directly or indirectly to the combined sewer network and the site must be drained on a separate system, with only foul drainage connected into the foul sewer.

**Greater Manchester Archaeological Unit** – A desk based archaeological study concludes that the site is likely to only contain heritage assets of negligible archaeological interest and very low heritage significance. They accept these conclusions and recommend that no further archaeological work is necessary.

**Work and Skills** – Recommend that a local labour condition is included for the construction and end use phases which incorporates a requirement to provide a report of local labour achievements.

**Manchester Airport , Civil Aviation Authority and NATS Safeguarding** - Have no safeguarding objections.

**Manchester Markets** - Have confirmed that on the basis that the current Church Street Market will not be removed without the replacement market stalls on Church Street being constructed and that current traders can be located to those units should they wish, that they have no objection to the applications.

**121447**

Head of Highways Final comments: MCC Highways have no objections in principle but concur with TfGM (see below) in terms of concerns about pavement widths on Church Street and pedestrian safety.

**TfGM** - Given the high level of footfall anticipated along this frontage from the bus stop and the market stalls, they consider that the narrow footway has potential to create a conflict between pedestrians and vehicles with pedestrians potentially overspill into the highway. TfGM would raise severe highway concerns.

They have also given advice about the minimum distances that there should be bus stop infrastructure and kerbside features. 600mm is therefore the absolute minimum clearance required.

They also noted concerns about loading in the bus stop which could affect sightline visibility, the free flow of traffic along Church Street, and interfering with passengers to the detriment of highway safety.

**Manchester Markets** – Have no objections providing that the existing traders can be rehoused in Church Street/Red Lion St and the developer meets all costs. However' they have concerns about the independent retail offering so close to the Arndale Food Market given that the Arndale Centre is now opening a new food court

**Head of Environmental Health** - Have no objections subject to conditions in relation to fume extraction, hours of operation, hours during which deliveries can take place and the acoustic insulation of any plant and associated equipment.

**Greater Manchester Police (Design for Security)** – Have no objections subject to compliance with the recommendations of the submitted Crime Impact Assessment.

## **ISSUES**

### **Local Development Framework**

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

The proposals are considered to be consistent with the following Core Strategy Policies SP1, CC1, CC4, CC5, CC6, CC7, CC8, CC9, CC10, T1, T2, EN1, EN2, EN3, EN4, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19, EC1, EC8, and DM1 for the reasons set out below.

### **Saved UDP Policies**

Whilst the Core Strategy has now been adopted, some UDP policies have been saved. The proposal is considered to be consistent with the following saved UDP policies DC 10.1, DC18, DC19.1, DC20 and DC26 for the reasons set out below.

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

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



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

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

SO5. Transport - seeks to improve physical connectivity through sustainable transport networks, to enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation. This is a highly accessible location, close to public transport and would reduce car travel.

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

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

## **Relevant National Policy**

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

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

The proposal is considered to be consistent with sections 5, 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF for the reasons set out below

Paragraph 103 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on sustainable locations which limit the need to travel and offer a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 117 planning decisions should promote effective use of land in providing 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.

Paragraph 118(d) Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 122 - states that planning policies and decisions should support development that makes efficient use of land and includes a requirement to take into account local market conditions and viability and the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design in an area, so long as they fit in with the overall form and layout of their surroundings.

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

The proposal would develop an underutilised, previously developed site and create employment during construction and permanent employment in the commercial units and relocated market stalls as well as the building management on completion and assist in building a strong economy and assist economic growth. It would complement a well established community and contribute to the local economy as residents using local facilities and services.

The proposal would help to create a neighbourhood where people choose to be by enhancing the built and natural environment and creating a well designed place that would enhance and create character.

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

NPPF Section 9 Promoting Sustainable Transport, Core Strategy Policies CC5 (Transport), T1 Sustainable Transport and T2 Accessible Areas of Opportunity and Need - The Site has a Greater Manchester Accessibility Level (GMAL) of 8, the highest level of accessibility. It is easily accessible for pedestrians and cyclists, and by a range of transport options. Metrolink stops at Market St, Shudehill and Exchange Square, Victoria and Piccadilly Train Stations and Shudehill and Piccadilly Garden exchanges are all nearby.

A Travel Plan would facilitate sustainable patterns of transport use and the City Centre location would minimise journeys. The proposal would contribute to wider sustainability and health objectives and help to connect residents to jobs, local facilities and open space. It would improve air quality and encourage modal shift from car travel. Improvements to pedestrian routes are proposed and the pedestrian environment would prioritise pedestrian and disabled people, cyclists and public transport.

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

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

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

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

A Viability Appraisal demonstrates that the scheme is viable and deliverable but cannot sustain a financial contribution towards affordable housing. This is discussed in more detail below.

Manchester's economy continues to grow and investment is required in locations that would support and sustain this growth. The commercial units and the relocated market stalls would complement the existing mix of uses.

NPPF Sections 12 (Achieving Well Designed Places), and 16 (Conserving and Enhancing the Historic Environment), Core Strategy Policies EN1 (Design Principles and Strategic Character Areas), EN2 (Tall Buildings), CC6 (City Centre High Density Development), CC9 (Design and Heritage), EN3 (Heritage) and saved UDP Policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) – Within the NPPF sections 11 and 12 point out that planning policies and decisions should support development that makes efficient use of land, this includes taking into account: the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design in an area, so long as they fit in with the overall form and layout of their surroundings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

The proposal has been the subject of consultation. The design has been considered by a range of stakeholders including Historic England and Places Matter whose comments have informed design evolution. The scheme proposes a building whose quality and appearance would complement the high standard of design in the area. It would be a high density development and seeks to maximise the use of the site promoting regeneration and change. It would improve the functionality of the site. This would be a large scale intervention but would complement the organic growth which has taken place in the Northern Quarter over the past 25 years and would not have a detrimental impact on the prevailing character of the Conservation Area or the setting of the listed Ryland's Building. It would enhance quality in the area and introducing complementary activity that will add value. The form of development and its ground floor layout, would improve legibility, visual cohesiveness, connectivity and integration.

This is a tall building but the scale proposed is considered to be acceptable in this location and would contribute to place making. It would be of a high quality and would raise the standard of design in the area. The design would respond positively at street level. It would reinforce the cohesion of the urban form, improving the character and quality of a site whose appearance is poor. The positive aspects of the design of the proposals are discussed in more detail below.

A Tall Building Statement identifies key views and assesses the impact on them. It also evaluates the relationship to context / transport infrastructure and its effect on the local environment and amenity. This is discussed in more detail below.

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

Paragraph 192. In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states that when considering impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm is substantial, total loss or less than substantial.

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

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

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

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

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.

Paragraph 200 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 201 points out that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. It states that the loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole

A Heritage Appraisal, Visual Impact Assessment and NPPF Justification Statement, have demonstrated that the development would have a beneficial impact on the surrounding area.

The proposal would redevelop an underutilised site. 24-36 High Street is a negative element within the Conservation Area. 20-22 High St a non designated heritage asset, enhances the streetscape from certain viewpoints, its location within an area of low townscape value however means that its contribution to the understanding and appreciation of the character of the Conservation Area as a whole is limited when read against the current condition of 24-36 High Street. Therefore, in the context of this wider island site, it does little to engage with or contribute to the streetscape or the character of the Conservation Area. Whilst it does make some contribution to townscape, its contribution to the significance of the conservation area is low. Overall therefore, the site makes no contribution to the townscape and has a negative impact on the setting of designated heritage assets. It is considered that the loss of the buildings on the site would result in less than substantial harm to the character of the Conservation Area as a whole and this needs therefore to be weighed against the public benefits to be derived from their loss.

Owing to the fragmented character of the street block of which it forms part, the impact on the setting of the adjacent listed building would be less than substantial and this harm also needs to be weighed against the public benefits.

The quality and design of the proposals would sustain the value of the key heritage assets as there are substantial public benefits which would be derived from the proposal which would outweigh the harm caused by the loss of the existing buildings. That harm is necessary both to secure those benefits, and fully realise the optimum viable use of the site and secure its wider potential in urban design terms.

The site does not best represent the character and appearance of the Smithfield Conservation Area. It is necessary however to consider whether the loss of 20-22 High Street would sustain the significance of the heritage assets and would preserve or enhance the character or appearance of the Conservation Area and the setting of the adjacent listed building. Much of the site currently has a negative impact on the setting of these assets and the introduction of a good quality building that would make a positive contribution to the townscape and cohesively engage with and properly address the street block would make a positive contribution to the townscape and enhance the setting of those heritage assets.

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

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

- Saved UDP Policy DC20 (Archaeology) – It has been concluded that there is virtually no likelihood of any significant remains surviving below ground level and as such that the development would not have an impact on any potentially significant remains on the site.

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

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

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

The drainage network would be designed so that no flooding occurs for up to and including the 1 in 30-year storm event, and that any localised flooding will be controlled for up to and including the 1 in 100-year storm event including 20% rainfall intensity increase (climate change). The surface water management would be designed in accordance with the NPPG and DEFRA guidance in relation to Suds.

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

An Ecology Report concludes that there was no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development. A number of measures to improve biodiversity are proposed. The Report concludes that the proposals would have no adverse effect on any statutory or non-statutory designated sites in the wider area.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development. The proposal should exploit opportunities and this is discussed in more detail below. There would be no adverse impacts on blue infrastructure.

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

DC22 Footpath Protection - The development will improve pedestrian routes within the local area through ground floor activity and repaving. Previously lost pedestrian linkages would be reinstated.

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

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

The above issues are considered in detail in below.

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

DC26.1 and DC26.5 (Development and Noise) - Details how the development control process will be used to reduce the impact of noise on people living and working in the City stating that this will include consideration of the impact that



development proposals which are likely to be generators of noise will have on amenity and requiring where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate This is discussed below.

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

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

It is considered that the following design principles and standards are relevant to the consideration of this application:

- Each new development should have regard to its context and character of area. New developments should acknowledge the character of any Conservation Area within which they lie and will only be accepted where they preserve or enhance the special quality of the conservation area;
- Infill developments should respect the existing scale, appearance and grain and make a positive contribution to the quality and character of the area;
- The design, scale, massing and orientation of buildings should achieve a unified urban form which blends in and links to adjacent areas. Increased density can be appropriate when it is necessary to promote a more economic use of land provided that it is informed by the character of the area and the specific circumstances of the proposals;
- Developments within an area of change or regeneration need to promote a sense of place whilst relating well to and enhancing the area and contributing to the creation of a positive identity. There should be a smooth transition between different forms and styles with a developments successful integration being a key factor that determines its acceptability;
- Buildings should respect the common building line created by the front face of adjacent buildings although it is acknowledged that projections and set backs from this line can create visual emphasis, however they should not detract from the visual continuity of the frontage;
- New developments should have an appropriate height having regard to location, character of the area and site specific circumstances;

- Developments should enhance existing vistas and create new ones and views of important landmarks and spaces should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises;
- Visual interest should be created through strong corners treatments which can act as important landmarks and can create visual interest enliven the streetscape and contribute to the identity of an area. They should be designed with attractive entrance, window and elevational detail and on major routes should have active ground floor uses and entrances to reinforce the character of the street scene and sense of place.

For the reasons set out later in this report the proposals would be consistent with these principles and standards.

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

The application site lies within the area identified in the document as the Northern Quarter. This identifies the importance of the areas non-mainstream offer as being important for any global city and giving the Northern Quarter a unique identity within both the city and, to some extent, the UK. The areas growing reputation and attraction to a high number of visitors, is identified as providing an important contribution to the economy of the city centre.

Because of its nature, the regeneration within the Northern Quarter area is described as having been organic and incremental and, therefore, more subtle and ultimately less predictable than in other parts of the city centre. The aim of activity within the area is to bring about change in a way that retains the area's distinct identity. This can be done by building on the area's strengths to produce a creative and cultural destination, with a high-quality built environment attractive to businesses and residents, and providing opportunities for private sector investment. It is considered that the proposals would be in keeping with these objectives. The proposed commercial units and the enhanced offer of the relocated market stalls and a further addition to the current well established residential community around the site would help to build on the successes of the area's evening economy by promoting usage as a daytime destination.

Manchester Residential Quality Guidance (July 2016) (MRQG) – The City Council's has endorsed the Manchester Residential Quality Guidance which is now a material planning consideration. The document provides specific guidance for Manchester and includes a section on the consideration of space and daylight. The guide states that space standards within dwellings should comply with the National Described

Space Standards as a minimum. In assessing space standards for a particular development, consideration needs to be given to the planning and laying out of the home and the manner in which its design creates distinct and adequate spaces for living, sleeping, kitchens, bathrooms and storage. The size of rooms should be sufficient to allow users adequate space to move around comfortably, anticipating and accommodating changing needs and circumstances. The proposal is broadly in keeping with the aims and objectives set out in the guidance.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place. The proposed development would contribute to achieving the above targets and growth priorities.

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

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

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

## **Conservation Area Declarations**

### **Smithfield Conservation Area Declaration**

The Smithfield conservation area lies on the north-eastern edge of the city centre of Manchester. It is one of a group of three in this vicinity designated by the City Council in February 1987; the others are Shudehill and Stevenson Square, which lie to the north-west and south-east respectively.

The area is bounded by Swan Street, Oldham Street (a common boundary with the Stevenson Square Conservation Area), Market Street, High Street and Shudehill (a common boundary with the Shudehill Conservation area).

Historically, the predominant building type was food markets. Few of these are still standing, and those that are have been converted to other uses. Around Turner Street and Back Turner Street, there are some very small-scale houses dating from the Georgian period, subsequently converted or used for commercial purposes.

These streets and the buildings defining them create a rich tapestry of spaces and built form located hard up to the back of pavement. This character contrasts with that of the buildings to the south of the conservation area, closest to the commercial heart of the regional centre along Oldham Street, Market and Church Street, which are larger and of later date than the rest of the area. A number of sites have been left vacant where buildings have been demolished. Many of these are used as temporary car parks, which detract from the visual appeal of the area.

The Conservation Area Brochure contains specific advice on the parameters that are appropriate in terms of an approach to Development Management and achieving improvements and enhancements to the area. Whilst this is only advice it does reflect the expectations set out in the City Council's Design Guide SPD and Core Strategy in respect of new City Centre developments particularly within Conservation Areas. This is summarised below as far as it relates to this development:

- The south-west part of the Conservation Area is composed of large buildings, and any new development here is likely to be designed on a substantial scale.
- New buildings in Piccadilly, Market Street, Church Street and the southern parts of High Street and Oldham Street should relate to their immediate neighbours which are up to seven storeys high.
- The main criterion in urban design terms in this area relates to the need to fit into the established street pattern and to ensure that the scale of development proportions and materials relate to the immediate context.
- Development management aims to encourage development and activity which enhances the prosperity of the area, whilst paying attention to its special architectural and visual qualities
- Demolition of existing buildings of architectural or townscape merit should be seen as a last resort and a coherent and complete justification made in line with government guidance on the issues relevant to each case must be made.
- Quality is the overriding aim in any new proposal, and this can be provided in either sensitive refurbishment of existing buildings or the appropriate design of new buildings.
- The urban design context is vital in this conservation area. The height, scale, colour, form, massing and materials of new buildings should relate to the existing high quality buildings and also complement their character. Designers of proposed buildings should take account of this rather than evolving a design which has no clear relationship with buildings nearby. This does not mean a debased copying of historical forms which serve only to devalue the genuinely historical buildings nearby. It does mean acknowledging the characteristics of massing, proportions, elevational subdivision, colours and materials of adjacent buildings in the design of the modern additions.

- Both the larger and smaller buildings within the conservation area exhibit a great variety in style, but also a common unity which designers of new and refurbished buildings should acknowledge. However, superficial copies of historic buildings do not make a positive contribution to the historic character of the area and each building should have a vitality of its own.
- Designers should be aware of proportion and rhythm in their buildings and also differentiate a ground floor, middle portion (where there is sufficient height to do so) and a top part which creates a varied skyline, in order to enhance the area.
- In line with other parts of the city centre, new development proposals should generally be aligned to the back of pavement, in order to preserve the linear character of the streets.
- The corner emphasis characteristic of Manchester buildings is evident in Smithfield, and its use in new developments will therefore be encouraged
- In terms of building materials brick, stone and stucco, brick with stone dressings predominates and solid, traditional materials should be used in preference to large expanses of cladding, concrete and glass.
- In new buildings, windows should be set back from the wall faces in order to create deep modelling on the facades.
- One of the aims of improvement is to restore the rich tapestry of spaces and built form located hard up to the back of pavement which characterises the small scale older 18th century buildings within the area.

## **Other National Planning Legislation**

### **Legislative requirements**

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

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area

S149 (Public Sector Equality Duty) of the 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 among the protected characteristics

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

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

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations (as amended 2011) and Circular 2/99 ('The Regulations') and has considered the following topic areas:

- Wind microclimate;
- Transport;
- Noise and vibration;
- Air quality;
- Built heritage;
- Daylight and sunlight;
- Townscape and visual impact;

The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. The Site covers an area of approximately 0.08 hectares, but is above the indicative applicable threshold of 150 residential units. It has therefore been identified that an EIA should be carried out in relation to the topic areas where there is the potential for there to be a significant effect on the environment as a result of the Development. The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects. In accordance with the EIA Regulations, this ES sets out the following information

A description of the proposal comprising information about its nature, size and scale;

The data necessary to identify and assess the main effects that the proposal is likely to have on the environment;

A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, flora, fauna, soil, water, air, climate, cultural heritage, landscape and the interaction between any of the foregoing material assets;

Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects;

Summary, in non-technical language, of the information specified above. It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation.

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

The cumulative effects of the operational phases would not be unduly harmful.

During the construction phase there would be negligible impact on air quality and the built environment, minor significant noise and vibration impacts, negligible to moderate adverse impacts on sunlight and daylight levels, minor adverse impacts on traffic and transport and negligible impacts from wind.

During the operational phase (completed development) there would be negligible impact on air quality, minor-moderate beneficial effects to the built environment, minor significant noise and vibration impacts, negligible to moderate adverse impacts on sunlight and daylight levels, negligible to minor beneficial impacts on townscape, minor beneficial to moderate beneficial visual impacts but within one view a moderate adverse impact, negligible to minor adverse impacts on traffic and transport and negligible to minor beneficial impacts in terms of wind with designed in mitigation.

The interaction between the various elements is likely to be complex and varied and will depend on a number of factors. Various mitigation measures are outlined elsewhere within this report to mitigate against any harm that will arise and these measures are capable of being secured by planning conditions attached to any consent granted.

It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation. It has been prepared by a competent party with significant experience and expertise in managing the EIA process who hold the IEMA EIA Quality Mark. The preparation of the Statement has included technical input from a range of suitably qualified and experienced technical consultees.

**The Schemes Contribution to Regeneration and Housing Delivery** – The City Centre is the primary economic driver of the region and crucial to its economic success and therefore its regeneration and the outcomes delivered are key consideration. There is a direct link between economic growth, regeneration and the provision of housing and new homes are required to support economic growth.

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

The regeneration of the Northern Quarter has created a high quality mixed use neighbourhood and this proposal would continue this process. It would support population growth, contribute to the economy and help to sustain the Northern Quarter as a vibrant place to work and live. The proposals would create employment during construction, along with permanent employment within the commercial uses and building management services as well as within the relocated market stalls.

The commercial uses and improved market offer would provide services and facilities for NQ residents, create vitality and enhance the street scene. The applicant aims to attract independent operators which would complement the Northern Quarter retail and leisure offer.

The proposal would use the site efficiently and effectively in a high quality building in line with Paragraph 118(d) and 122 of the NPPF. It would be in a sustainable location and would improve the environment around the site and deliver high quality housing with safe and healthy living conditions. It would be located close to a number of major transport hubs and would promote sustainable economic growth.

The proposal would underpin and support the distinctive identity of the Northern Quarter and would continue the incremental change that has improved the character, legibility and value of the area over the past 25 years.

24-36 High Street has a negative impact on the street scene, the Smithfield Conservation Area and the Northern Quarter. It presents a poor appearance, fragmenting the historic built form that characterise the area. This creates a poor impression compared with the more vibrant streetscapes nearby. Church Street and High Street are important routes through the area which link the Retail Core and the Northern Quarter.

20-22 High Street makes a positive contribution to the Conservation Area. The proposal would reinstate the historic building line and repair the street-frontages and respond positively to its context and the areas heritage. This will most effectively be achieved by developing the site comprehensively and the justification for this is set out in detail below. Its reuse as office space or as residential accommodation would present a number of challenges which are discussed in more detail later in the report.

The proposal would improve High Street and Church Street and help to establish a sense of place. The increase in ground level activity and the improvements to connectivity across the site would integrate the proposed building with the urban grain and enhance legibility.

The relocation of the market would ensure their continuity in improved facilities close to their current location. This would help to minimise disruption and maintain their important contribution to the Northern Quarter.

**Viability and affordable housing provision** - The required amount of affordable housing within a particular development will reflect the type and size of the development as a whole and will take into account a number of factors such as an



assessment of a particular local need, any requirement to diversify housing mix and the need to deliver other key outcomes particularly a specific regeneration objective.

An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, where a financial viability assessment is conducted which demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The application proposes 361 new homes for open market sale. The delivery of new homes is a priority for the council. The proposal would develop a brownfield site that makes little contribution to the area and create active street frontages. It would be a high quality scheme in terms of its appearance and would comply with the Residential Quality Guidance. All these matters have an impact on the scheme's overall viability.

A viability report, which has been made publicly available through the Council's public access system. This has been independently assessed on behalf of the Council and these conclusions are accepted as representing what is a viable in order to ensure that the scheme is not only delivered but is done so to the highest standard.

The benchmark land value of £8,656,257 together with build costs of (including abnormal costs and contingency) £78,450,639 are within the range expected based on comparable evidence. The total costs would be £96,207,625 with a GDV of 18%. On this basis the scheme could not support a contribution towards off site affordable housing and ensure that the scheme is viable and can be delivered to the quality proposed.

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.

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

All unit types would accord with London Housing Design Guide's and guidance within the *Manchester Residential Design Guide (2016)* on habitable room sizes and widths; meeting the required areas for storage provision; and meeting the accessibility and adaptability requirements of M4(2), 138 apartments have smaller areas overall but these units mainly fall 1-2sqm below the MEES targets and are acceptable on the basis that they have resulted from an efficient use of space, adoption of open-plan living/kitchen/diner spaces and the compaction of entrance hallways. :

All unit types provide sufficient storage space, maximise daylight and have Juliette balconies to bedrooms and living space in lieu of private balconies. All residents have access to a large landscaped roof terrace and there is a Work from Home Zone at ground floor.

The proposed quality, mix and size of the apartments would appeal to single people and those wanting to share. The 2 and 3 bed apartments would be suitable for 3 to 6 people, and could be attractive to families and people downsizing. Support accommodation on the ground floor includes a double height resident's lounge and reception area and storage space for deliveries.

The open-plan living/kitchen/diner arrangement is flexible and responds to contemporary living patterns. The minimum ceiling height would be 2.5m. A condition requires details of a management strategy and lettings policy for the apartments and the ground floor units would ensure that the development helps to create an attractive neighbourhood. This would ensure that the development is well managed and maintained, providing confidence for those wishing to remain in the area long term.

**Design (MSCP Site)-** The precedent schemes were the 'Pop up' retail and workspace within London and Manchester. In London Pop Brixton and Box Park in Shoreditch have been very successful as has Hatch at Circle Square.

The materials would be pressed aluminium and sheet aluminium with mesh shutters with a metal sheet backing. The distinctive design would complement the independent feel of the Northern Quarter. It would create a positive edge to Red Lion Street through landscaping and outdoor seating at ground and first floor. This would complement the character of the Northern Quarter.

Exterior lighting within the soffit would define entrances and signage. It would create an interesting elevation, providing illumination through the perforated panels

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

One of the main issues is whether the scale of the proposal is appropriate for the site. A 22 storey building is considered within the local context to be tall although there is a 19 storey building on the adjoining site. The proposal needs to be assessed against Core Strategy Policies that relate to Tall Buildings and the criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABE.



**Design Issues, relationship to context and the effect on the Historic Environment.** This considers the design in relation to context and its effect on key views, listed buildings, conservation areas, scheduled Ancient Monuments, Archaeology and open spaces. A key issue is whether its impact on the setting of the adjacent grade II listed Debenhams and the character of the Smithfield Conservation Area is acceptable. This should be considered alongside the justification for the loss of 20-22 High Street. The design was discussed widely at pre-application with a range of stakeholders, including residents, to ensure that it is viable and deliverable, of a high quality and appropriate.

#### **Design Issues in relation to context including principle of a Tall Building in this Location**

The Smithfield Conservation Area contains buildings of different ages, sizes and types. There is a distinctive and tight grain in the north east where buildings are generally lower. The character is different in the south, including this site, where the grain is more fragmented and the buildings are generally larger with 19<sup>th</sup> and 20<sup>th</sup> century warehouses often on island sites. More recent development has altered some sites and parts of the Conservation Area and its historic street layout. Historically, the site contained smaller buildings but purpose built warehouses in the 19<sup>th</sup> century eroded the tight grain of these smaller footprint buildings.

Some streets within the area were widened around the turn of the 20<sup>th</sup> century including the southern side of Church Street. Many buildings were demolished and replaced with buildings set back from their original line. During the 1960s and early 1970s shops, houses, streets, including the entire western side of High Street and northern side of Market Street were demolished to make way for the Arndale Centre

The construction of the building on the site followed the demolition of the Victorian and Edwardian buildings with 20-22 High Street retained. The redevelopment assumed that High St and Church Street would be widened further. Larger buildings were developed close to the site around this time such as Lowry House, 11 York Street and the CIS Tower.

The main objective in the Conservation Area is to preserve and enhance its character. Parts of the Conservation Area have retained their earlier character but the character around the south has changed as the City has evolved and grown. Impacts therefore need to be assessed in this context. There is also a need to ensure that at its edges within the wider urban context, that there is a cohesive and coherent urban form. This would ensure that visually areas knit together and promote a sense of place for those who use and visit the City. Thus, the context for sites on the edge of a Conservation Area, must go beyond its boundaries.

Development on the edge of the conservation area is of a much larger scale in terms of footprints and heights. This proposal reflects the massing and the larger footprints of the large purpose built 19<sup>th</sup> and 20<sup>th</sup> Century Warehouse buildings found in many parts of the Conservation Area. The Light Aparthotel / Pall Mall (15/20 storeys) is a more contemporary example of the increase in height around the south western edge of the Conservation Area.

The building on the site does not reflect its key role at the interface of the Northern Quarter and the Commercial and Retail Cores. The proposal would improve legibility between these areas and introduce greater levels of activity. It would reinstate some of the historic routes, finer grain and activity that has been eroded and enhance the understanding of the Conservation Area's historic layout. High Street and Church Street have been widened and are both now public transport corridors for buses, trams and taxis. The junction of High Street and Church Street is a key intersection and is a location and a building of significance and scale could be accommodated. The building would enhance the sense of place, creating a point for orientation and reference.

Paragraph 127 of the NPPF advocates development which adds to the quality of an area, establishes a sense of place, is visually attractive as a result of good architecture, is sympathetic to local character and which optimises the potential of the site. Currently the experience at street level is poor with little activity on Birchin Lane and Bridgewater Place and the site has an impression of decline. This contrasts to high levels of vibrancy nearby at Market Street and the Northern Quarter. There is a need to improve the vibrancy of the area and generate more street level activity.

Development to the back of pavement and the creation of routes through the site and the courtyard would restore some of the characteristics of the area. The five retail units would create a vibrant street-scene and active frontages.

A range of options were analysed in relation to context, viability, townscape, baseline heritage and key views. There are abnormal costs such as the need to work carefully around TFGM equipment in 20-22 High Street, securing vacant possession and the higher demolition and build costs due to building next to the tram line. The options analysis has established that a specific quantum of accommodation is required.

The majority of the site is fragmented and harms the setting of the Smithfield Conservation Area, the setting of the adjacent listed buildings and the quality and character of the townscape. It erodes the street pattern, interrupts the prevailing building line and creates a fragmented streetscape. This adversely affects and weakens the character and appearance of the area and creates a poor impression. . Despite the demolition of 22-24 High Street, there is an opportunity to preserve or enhance the character of the Conservation Area, and preserve the setting of the listed building and street and townscape in line with the Planning Act, NPPF and Core Strategy as well as sections 66 and 72 of the 1990 Listed Buildings Act.

The constrained nature of sites and the tight knit urban grain often means that city centre developments are challenging and impacts on sunlight and daylights are discussed in detail below.

The distribution of the massing would reinstate historic building lines and deliver good urban design principles, whilst seeking to minimise the impacts on adjacent properties. The proposal acknowledges the characteristics of massing, proportions, elevational subdivision, colours and materials of adjacent buildings in a contemporary manner.

A 'mansion' style building is proposed of similar height to the tallest part of the Light ApartHotel and it would be prominent in some viewpoints. However, this has to be considered in the context of its location, the regeneration benefits and the nature of the urban form. The building would have a civic scale and presence that would clearly define the entrance to the Northern Quarter from the Commercial and Retail Core. It would assist legibility by creating a point of orientation in some longer distances views from Piccadilly Gardens and Fountain Street.

A Townscape analysis has concluded that the building would not adversely impact on the understanding or appreciation of any heritage assets and would have an acceptable relationship with surrounding and neighbouring buildings. It would contribute to place making and design quality and would be sensitive to the special architectural and visual qualities of the Conservation Area.



The building would have a tri-partite subdivision typical of the larger historic buildings within the Conservation Area. The materials and fenestration would differentiate the ground floor, the middle section and the top. It would provide a sense of enclosure, define the street block and follow the historic back of pavement building line. The splayed corner to High Street and Church Street would relate to the strong corners that are characteristic of the Conservation Area. The base would have large glazed openings with features on the lower levels on Church Street and High Street relating to the horizontal banding on adjacent buildings.



The middle section would have a strong vertical emphasis with a pattern of major and minor pilasters. Large scale modelling would be expressed through deep reveals with more subtle horizontal coursing breaking the elevation down. This would reflect the size and proportion of the fenestration of adjacent warehouses, including the deep modelling that characterises building facades in the Conservation Area.

The top of the building would be a distinctive addition to the skyline. The form of a mansard roof would provide a definite character, reduce the mass and diminish the visual impact from street level.

A large arcaded entrance on High Street would connect into an open courtyard surrounded by retail units which could spill out into Birchin Lane. A smaller link would connect the courtyard to Church Street. These routes and this space would be managed and could be closed off to keep it secure at night.





The views into the lower levels of the building, the central courtyard, the links to Church Street and Birchin Lane and the improved activity would positively respond to the adjoining neighbourhoods. The proposal would create street level animation and create a more hospitable environment compatible with the Northern Quarter.

Terracotta is used on buildings in the conservation area and the ivory tone would complement adjacent Portland Stone buildings. It is considered that the proposed materials would reflect the materials found within the Northern Quarter and complement the wider townscape in terms of colour and textures.





## Impact on Designated and Non Designated Heritage Assets and Visual Impact Assessment

Conserving or enhancing heritage assets does not necessarily prevent change and change may be positive where setting has been compromised by poor development. Views into the site are fragmented and inappropriate in the context of the character of the conservation area. Part of the character of the Smithfield Conservation Area is its representation of the organic change which marked the City's growth in the 18<sup>th</sup> to 20<sup>th</sup> centuries. The different buildings styles, scale and massing express those periods of change. Part of this change is the contrast between the taller island site buildings and the finer grain buildings. The organic nature of change needs to be recognised when development is proposed to meet the City's growth requirements on sites which contribute little to the Conservation Area and the setting of adjacent listed buildings. The condition and appearance of much of the application site is poor and has a negative impact on the area and change could enhance the setting of adjacent heritage assets and the wider townscape.

The relocation of the market stalls would allow the building re-engage with Church Street and reinstate a continuity of frontages. It would add activity and vitality and reintegrate the site into its urban context, reinforcing the character of the area. This would repair the fragmented form on High Street and Church Street and recreate the the historic grain.

The effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments and Archaeology and open spaces has been

considered. A Visual Impact Assessment (VIA) has assessed the likely townscape impacts based on a zone of visual influence and key views were agreed with Historic England. Seven views were identified at different distances with six having a medium sensitivity. The proposal was modelled for all views to create an accurate representation of the façade treatment, scale and massing.

### **View 1 – Back Turner Street looking south**



Figure 83A, above: View 1 as existing



Figure 83B, below: View 1 as proposed

There would be a partial, but notable alteration to the view. The proposal would project higher than existing buildings, but the increased rooftop articulation would create a focal point which would help with wider legibility. The light cladding colour would reduce its presence and forms a relationship with the Ryland's and Primark building. The level of change would be moderate and the visual impact moderate beneficial.

### **View 2 High Street looking NE**



Figure 84A, above: View 2 as existing



Figure 84B, below: View 2 as proposed

The view would be altered substantially with the increase in scale to High Street. Its form and style would complement the Ryland's Building that sits in the foreground. The increased rooftop articulation would create a focal point which would help with



wider legibility. The magnitude of change would be major but the visual impact major beneficial.

Viewpoints 1 and 2 show the dominant form and mass of the Arndale centre on the west side of the street and the variety of buildings styles, types, ages and materials on the east side. These views do not best represent the character and appearance of the Smithfield Conservation Area or the heritage values of the listed building. 20-22 High Street enhances the streetscape but its contribution to the understanding and appreciation of the character and appearance of the Conservation Area as a whole is limited.

### **View 3 – Fountain Street looking north**



This view would change but the design and materials would provide a positive relationship with the Rylands and Primark buildings in the foreground. The building would be higher than adjacent buildings, but would not dominate the skyline. The magnitude of change is moderate and visual impact would be moderately beneficial.

### **View 4 – Piccadilly Gardens looking north west**



There would be a very minor alteration to the view. The proposal would marginally extend above the Rylands building but would be higher than the Light building. The

light cladding would form a positive relationship with the Rylands building reducing its impact. The magnitude of change is minor and the visual impact minor beneficial.

### **View 7 – High Street looking south west**



Figure 85A, above: View 7 as existing



Figure 85B, below: View 7 as proposed

The building would project above the heritage buildings, breaking the characteristic of the low-rise roof line. The modern architectural style would contrast to buildings in the foreground, but the light cladding would reduce its presence. The magnitude of change would be moderate and the visual impact moderate - major adverse.

Viewpoints 4 and 7 best represent the two designated heritage assets impacted. This is where the ability to understand and appreciate the the Grade II Rylands building and the Smithfield Conservation area are understood and appreciated. The image demonstrates that the proposal would rise above the roofline, but would not impact on the understanding or appreciation of the heritage assets.

### **View 5 – Church Street looking west**



Figure 87A, above: View 5 as existing



Figure 87B, below: View 5 as proposed

This view would be altered substantially with the building forming a prominent and clearly visible element. However, the quality of the architecture and its relationship with Church Street would be a positive improvement compared to the existing buildings. Whilst it would be significantly higher than neighbouring buildings, it would

not screen or impede views of any significance. The magnitude of change is major and the predicated visual impact would be moderate -major beneficial.

### **View 6 – Church Street and Tib Street looking west**



The view would be altered with the proposal projecting above existing buildings. It would create a focal point and articulate the skyline. The light colour would contrast with other buildings, but would not be the dominant colour in the view. The magnitude of change is moderate and predicated visual impact moderate beneficial

Viewpoints 5 and 6 look out of the Smithfield Conservation Area and demonstrate that the understanding and appreciation of the character and appearance of the Conservation Area from here is limited. The views show that the proposal would reintroduce the historic building line and provide a sense of enclosure. It would enhance the public realm and encourage activity and movement.

Viewpoint 6 illustrates how the Tib Street multi-storey car park has affected the character of the conservation area and how it has eroded the finer grain. The development under construction has blocked the tower element of the Light Apartment and demonstrates how reinstating the historic building line and the dense urban form that is found in this part of the conservation area.

The design, appearance, footprint, orientation, massing, and choice of cladding would help to minimise its impact and provide a positive relationship with neighbouring buildings including the Grade II Listed Ryland's Building and Primark. The views show how the building would add interest and vibrancy on High Street and Church St. In view 1, the mansard roof adds interest. Views of historic buildings along High Street opposite the Arndale would not be affected and would continue to be read as a 'route' into the heart of the Conservation Area. In view 2 the roof would appear as a backdrop to the Grade II Debenhams, but the appreciation of its architectural form and interest would remain. This relationship to listed building is seen in view 3 where the proposal would sit comfortably in the wider townscape.

Of the seven views, six are identified as having a medium sensitivity, as the way that people enjoy and perceive the view is incidental, rather the main interest. These



views have limited, or no recognised significance, and don't make an important contribution to the experience of the setting.

The magnitude of change ranges from minor to major, with the effects ranging from 'minor' to 'moderate-major'. The majority of visual effects would be beneficial, with the proposal providing a positive addition to the view and its townscape setting.

View 7 is identified as having adverse effects due to the well preserved heritage context and residential population. The proposal would be seen above low rise buildings within a sensitive view. Its light cladding would reduce its visual presence and help mitigate its effects. However, people's attention or interest is likely to remain on the heritage aspects.

A 'cumulative' assessment looks at other developments which are consented and assumes that they will be built namely Tib Street Car Park, Red Lion Street, 11 York Street / 40 Fountain Street and 42-50 Thomas Street and 7 Kelvin Street. The cumulative effects ranges from 'Minor-moderate beneficial' to 'Moderate-major beneficial'. There are no cumulative sites within six of the seven views (Views 1, 2, 3, 4, 5 and 7) and the proposal would be the only visible change. In view 6, the sites at Red Lion Street and Tib Street would introduce large scale, contemporary built form. In this instance, the cumulative visual effect is Minor-moderate beneficial

The assessment concludes that overall, the proposal would have a minor-to-moderate beneficial impact on the character and appearance of the Smithfield Conservation Area and setting of the Grade II Ryland's Building (Debenhams) by:

- Revitalising the character of this fragmented part of the Conservation Area.
- Enhancing the articulation of the corner junction to High Street and Church Street;
- Re-establishing the historic building line along Church Street;
- Enhancing permeability through the site;
- Referencing the historic street pattern of the street by creating a route through the site which is named after the historic street: Stationers Court;
- Enhancing the public realm in and around the Subject Site;
- Providing active street frontages; and
- Adding a building of high quality design and materiality to the streetscape, that celebrates the historic vertical grain and counters the monumental horizontality of the west side of the street (the Arndale Shopping Centre).

The site makes a limited contribution to the townscape and does not represent the heritage values of the Conservation Area. It does not contribute to the setting of the adjacent Grade II listed Debenhams which is best appreciated and understood from Market Street/ Piccadilly Gardens as a landmark building which is sufficiently robust to remain dominant in the townscape.

Development at the site could enhance the character and appearance of the conservation area and improve pedestrian environment and permeability. The proposal would be a high-quality, distinctive building that would improve an entrance to the Northern Quarter and enhance the setting of the adjacent heritage assets.

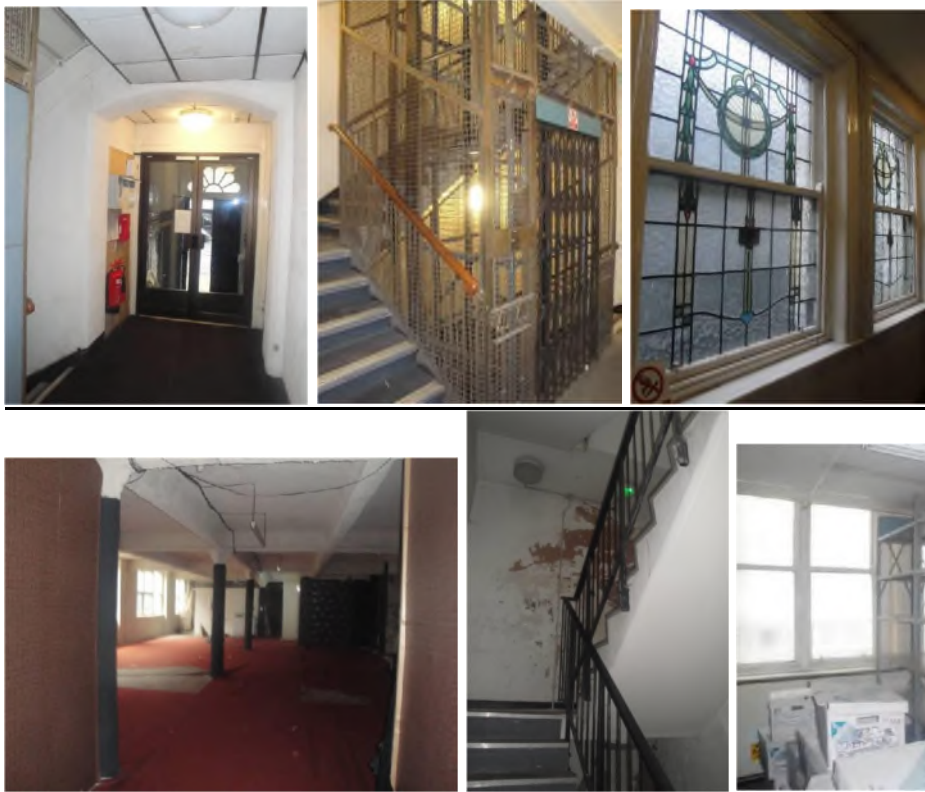
The verified views indicate that the development would be contextually responsive and would not prevent the appreciation or significance of the townscape value of adjacent buildings or, the ability to appreciate the heritage values of the adjacent listed buildings. The impact would be adverse in one view. Otherwise the impact would be major or moderate beneficial or have no impact.

The proposal would enable a greater understanding of and enhance the heritage values and significance of the affected assets and better reveal their significance in line with NPPF paragraphs 192-197 and 200-201. In accordance with and Section 66 and 72 of the Listed Building Act 1990 the development would have special regard to the desirability of preserving the setting of adjacent listed buildings and the character of the Conservation Area.

There would be considerable enhancement of the urban form and pedestrian environment. The impact of the proposal, including that on heritage assets, would not outweigh the regeneration benefits resulting from development.

### **Significance of the Non Designated Heritage Asset at 20-22 High Street and the case to Support Demolition of the existing Buildings on the site.**

20-22 High Street and 24-36 High Street have been assessed against the statutory criteria for listing to determine any special interest. This assessed the evidential, historical, aesthetic and communal value. The Heritage Assessment and Townscape and Visual Impact Assessment within the Environment Statement used HE's Guidance –Conservation Principles, Policies and Guidance (2008).



### 20-22 High Street

The building retains a number of elements illustrating its original warehouse use on the upper floors including the original staircase and cage lift (which has been altered) and original Art Nouveau stained glass sash windows to the stairwell. The partial demolition of its eastern end which enabled Birchin Place to be widened removed the original hoist, service stairs and rear portion of the building eroding the plan form. Within the retained areas parts of the long open warehouse floor plan is still evident although there has been some subdivision. The ground floor and basement have been altered through commercial uses and the construction of a large Metrolink substation in the basement. The original cast-iron columns remain but the spaces do not retain any original elements or decorative schemes of any evidential value. The building is considered to have low evidential value.

The building is one of the older buildings on High Street but its historical value has been reduced by refurbishments, and the partial demolition of the rear. The building formed part of a large company who specialised in the manufacture and sale of clothing and home wares. This type of use was an important element of the commercial and trading development of this part of Manchester City during the Victorian and Edwardian eras. This building is a late example of this type of development dating to 1915-17. The building is considered to have low historical value.

The building is of a well-mannered architectural design, designed in the transition period between the Art Nouveau and Art Deco styles. The front elevation is constructed of good quality materials, including large hand carved Greek inspired



faces on two keystones above the shop and warehouse entrances. Almost all its original sash windows, including Art Nouveau stained glass windows to the stair hall, double panelled front doors/fanlight and Art Deco tiled entrance vestibule, carvings, fanlights to shop front and door are still present. However, the internal spaces are largely typical and unremarkable for the time it was constructed, and consequently the building as a whole is considered to have low aesthetic value.

This building formed an extension to a larger home trade company which was a large employer of local people during the 19th Century. Today, the ground floor is a café, and is one of the few remaining buildings which formed the historic eastern side of High Street. It is considered to have low communal value.

### 24-36 High Street

The building was constructed in 1969 as purpose-built offices with shops on the ground floor. Neither the offices or shops retain features or elements that have heritage value, nor does the building have evidential value.

Most of the original metal framed windows and doors have been replaced with UPVC. The building was designed as purpose-built offices with no historical links to an individual company, organisation or person, and has negligible historical values.

It was designed in a 1960's Brutalist style. Its craftsmanship, detailing and, composition are typical examples of this style of architecture. The building's planform is confusing and difficult to navigate with windowless corridors, stairways and rooms making the environment unpleasant. It has no aesthetic value.

Its unattractive appearance and poor public realm does not encourage exploration, and therefore is considered to have no communal value.

### Conclusion

The evidential, historical, aesthetic and communal heritage values of 20-22 High Street are considered to be low and the building is of local interest only. It does however, make a positive contribution to the Smithfield Conservation Area and is a non-designated heritage asset.

The evidential, historical, aesthetic and communal heritage values of 24-36 High Street are negligible and has a negative impact on the Smithfield Conservation Area.

There is a strong case to support a more appropriate redevelopment of 24-36 High Street. 20-22 High Street has some value and local interest and makes a positive contribution to the Conservation Area, Therefore, greater consideration needs to be given to its demolition. Paragraph 197 of the NPPF states that in such cases a balanced judgement is required which has regard to the scale of the buildings loss and its significance.

The building is a fragmented remnant of the older streetscape which may support a case for its retention. However, this needs to be balanced against the urban design

arguments that may support its demolition, and how it's retention could form part of a coherent, integrated development.

20-22 High Street is physically separated from the heart of the Conservation Area. It has been altered and no longer serves the needs of businesses. Its narrow floorplate limits options to convert it to meet occupier requirements. It doesn't meet modern day environmental or building regulation standards and is vacant in spite of its prime location. There is better quality second hand office and retail space nearby in refurbished listed and other historic buildings such as Sevendale House and 35 Dale Street. It could be argued that it is not capable of meeting modern day occupier standards. Its refurbishment for residential use would require significant intervention to bring the building up to the required standard.

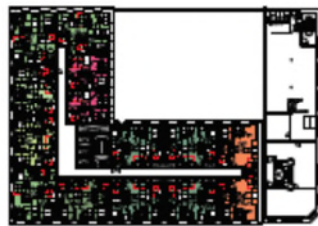
Its retention was considered because of the significant abnormal costs associated with the Metrolink equipment in the basement. Different forms were considered including retention or the incorporation of elements.

All options had to deliver a quantum of development comparable to the option of fully demolishing 20-22 High Street. In order to retain 20-22 High Street, the new build element of the proposals would need to form an 'L' shaped footprint

OPTION 1



Ground Floor



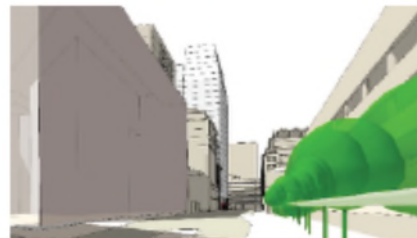
Typical Floors 1-4



Black Turner Street looking South



Fountain Street looking North



Church Street looking West

This would require a tall tower the massing of which would not reflect the character of the Conservation Area or this part of the Northern Quarter.



Option 2: Retain 20-22 High Street and 24-36 High Street

A further option considered incorporating its façade. This would deliver some heritage benefits but there would be adverse heritage impacts on the character of the Conservation Area and setting of the listed building because of a fragmented form of development.

This approach included some development to the rear. Height would be capped at the sixth storey to broadly align with the top of 20-24 and mass on the site of 24-36 High Street would be 24 storeys.

If the whole building were retained 20-22 High Street would be over-shadowed by the Rylands building. The reduced floorplate of 20-22 would adversely impact on creating a practical, commercial layout. The different floor-to-ceiling heights cause difficulties with internal levels. The reduced massing of Option 2 would pose the same issues as Option 1 providing a disjointed townscape and misaligned facades.

These alternative viable options would be a poorer design and would not have a significant positive effect on the Conservation Area. Therefore, they would not secure an optimum viable use for the site in line with paragraph 196 of the NPPF. Its retention would not justify the higher massing, and the impact this would have. Greater benefit would be achieved through treating the site as a whole so as to allow proper and balanced approach to all four of its elevations.

The loss of 20-22 High Street would cause a minor adverse impact on the character and appearance of the Conservation Area. However, it would allow the site to be redeveloped comprehensively which would have an overall beneficial impact to the character of the Conservation Area and the setting of the Grade II Rylands Building. The harm resulting in the demolition of No.20-22 High Street, would also be mitigated and outweighed by the public benefits of the wider regeneration of the site.

### **Consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets**

Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires members to give special consideration and considerable weight to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission for proposals which would affect it. Section 72 of the Act requires members to give special consideration and considerable weight to the desirability of

preserving the setting or preserving or enhancing the character or appearance of a conservation area when considering whether to grant planning permission for proposals that affect it. Development decisions should also accord with the requirements of Section 16 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Of particular relevance to the consideration of this application are paragraph's 192, 193, 194, 196, 197, 200 and 201.

The NPPF (paragraph 193) stresses that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Significance of an asset can be harmed or lost through alteration or destruction or by development within its setting. As heritage assets are irreplaceable, any harm or loss should clearly and convincingly justified.

The impact of the proposal, including the demolition of a non-listed building on the setting of the adjacent Grade II Rylands Building and the character of the Smithfield Conservation Area would be less than substantial. Paragraph 196 of the NPPF states that where a proposal would lead to less than substantial harm, it should be weighed against the public benefits including securing its optimum viable use.

Paragraph 20 of the NPPF Planning Practice Guidance states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7). Public benefits may include heritage benefits.

The public benefits arising from the development, would include:-

#### Heritage Benefits

The optimum viable use of an underutilised island site would be secured in line with paragraph 196 of the NPPF. The demolition of 20-22 High Street would cause some harm but be outweighed by the substantial benefits of the scheme which would include improvements in townscape terms and to the setting of the adjacent Listed Building and the character of the Conservation Area.

#### Wider public benefits

Whilst outlined in detail elsewhere in this report of the proposals these would include:

- Putting a site, which overall has a negative effect on the townscape value, back into viable, active use;
- Regenerating a major City Centre island site containing underutilised and largely vacant buildings which in the case of 24-36 High Street is of poor architectural quality;
- Establishing a strong sense of place, enhancing the quality and permeability of the streetscape and the architectural fabric of the City Centre;
- Optimising the potential of the Site to accommodate and sustain an appropriate mix of uses, providing the quality and specification of accommodation required by modern businesses and residents;

- Providing a new public space and facilities for residents, workers and visitors to the area;
- Positively responding to the local character and historical development of the City Centre, delivering an innovative and contemporary design which reflects and compliments the large neighbouring commercial buildings and local context;
- Creating a safe and accessible environment with clearly defined areas and active public frontages to enhance the local quality of life;
- Contributing to sustained economic growth;
- Providing equal access arrangements for all into the building;
- Increasing activity at street level through the creation of an 'active' ground floor providing overlooking, natural surveillance and increasing feelings of security within the city centre.

The benefits of the proposal would outweigh the level of harm caused, are consistent with paragraph 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

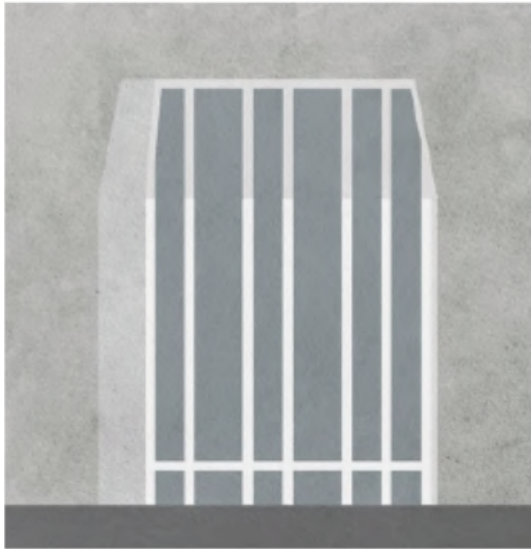
The harm to the setting of the Ryland's Building and character of the Smithfield Conservation Area will not be fundamentally compromised and the impacts would be outweighed by the public benefits.

### Architectural Quality

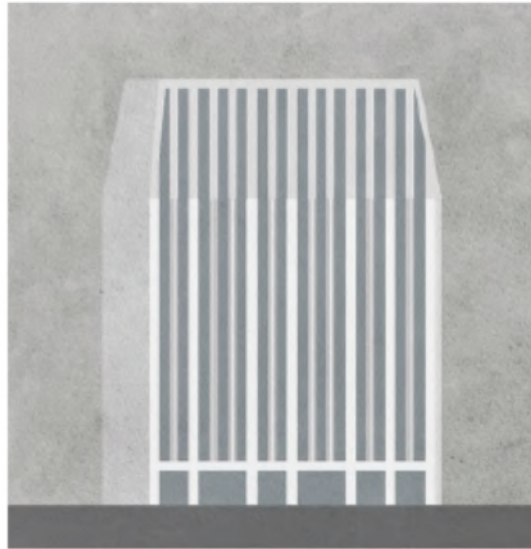
The key factors to evaluate are the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures.

The scale, massing and proportion are discussed above. The design would create a contemporary interpretation of the tripartite subdivision characteristic of building style in the City Centre. The grand facade order of the neighbouring Rylands Building evokes a sense of civic pride, and is a key reference for the proposal.

The massing has been broken down maintain a clear identity. Rectilinear pilasters organise the facade into regular bays of alternating widths. Each bay contains two or three windows divided by smaller pilasters to provide an alternating rhythm across the facades. The tapered shape of the minor pilasters relates to similar pilasters on the Ryland's building. This would provide a softened shadow in contrast to the solidity and stature of the major pilasters. The major order would be further emphasised by its connection to the ground whilst the minor order would be introduced from first floor upwards.



02  
A rhythm of major pilasters rises from the ground level to provide primary vertical order



03  
A rhythm of minor 'infill' pilasters provide a secondary finer order

The strong vertical emphasis of the bays has a series of horizontal cornices at second, twelfth, thirteenth and fourteenth floors, to create a strongly expressed organisation to the facades. The cornices would be ornamental and have a chamfered soffit culminating in a concave end detail. This would provide inflected shadowing and elegance to the edges. The tall bands of vertical fenestration between the cornices would be punctuated by ceramic cills of similar concave shape.

From the fifteenth floor cornice line the façade would cant back into a 6 tier mansard roof. The rhythm of inset finer fenestration would continue within this to continue the order of the facade. Finer recesses and larger projections would provide variety through articulation and definition. Interspaced among the recessed window arrangement, projecting dormers provide larger scale articulation adding greater depth and shading from ground level.

Throughout the mansard levels an ivory-coloured glazed ceramic interlocking roof tile would establish a finer grain and more uniform surface. Bespoke angled corner tiles would be used at all corners to ensure that the roof surfaces neatly wrap round the different facades.



04  
Horizontal cornices provide definition to the latticed middle section



05  
Individual window apertures order a finer grain and provide equilibrium



06  
Projecting dormers provide articulation to the mansard tier whilst framed surrounds provide articulation to the lower level bays





A variety of cladding panel shapes and profiles would provide additional richness and depth to the façade. The undulating rhythm of scalloped detail would provide variation and interest. The façade would have glazed ceramic panels of different sizes and textures with an undulating detail with windows set within deep reveals. The facades of the internal courtyard would have glazed white brickwork cladding. The ground floor units would have cap- less glazed curtain walling.

Glazed ceramic would change in response to different lighting conditions during the day and would animate the facades. The undulating scalloped detail would vary in tone throughout the day. The top of the elevations to Bridgewater Place and Birchin Lane would be particularly responsive. The combination of the glaze, the orientation of the pilasters and the undulating profiles would create interest, through the seasons.

The courtyards of many Victorian buildings use reflective materials to maximise daylighting. A white glazed brick would reflect the light into the more enclosed spaces providing a lighter aspect to the apartments. The internal facades of the roof terrace would be glazed brick. Precast Concrete Surrounds at street level would frame the major pilasters. The chamfered soffits would be embossed with a honeycomb pattern.

The pale ivory colour would relate to the Portland Stone on Debenhams. The window/door frames, louvers and balustrades would be mid-grey. The quality of the detailing to the façade is evidenced and supported by a detailed Design Intent– Quality Note which covers the quality of interfaces between panels, ensuring that there are no large or visible gaps between panels, and the junctions of glazing recesses with the panels. It is considered therefore, that the proposals would result in a high quality building that would be appropriate to its context.

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

The Northern Quarter is a popular and vibrant part of the City Centre. Church Street and High Street are important pedestrian and traffic routes. The width of the pavements on Church Street and Birchin Lane are narrow and the proposals would address this increasing pavement widths.

The redevelopment would result in a high quality built form and public realm which would act as a marker, gateway and physical connection. The improvements at street level would improve the pedestrian experience considerably and improve the sites accessibility and enhance connections to the Northern Quarter.

The development would provide passive security to Church Street, High Street, Birchin Lane and Bridgewater Place and would contribute to the safe use of these streets and enhance the sense of place.

The pavement width on Birchin Lane would increase from 1.5m to 3.4m to create a better pedestrian experience and allow activity to spill-out, particularly at its junction with Church Street.

Stationer's Court should be a unique covered space in the City away from the busy streetscape. The centre of Stationer's Court could include tree planting and provide spill out space for the commercial units.

The relocation of the market stall structure would allow the edge of the building to regain its position along Church Street and reinstate a continuity of frontages.

The new location for the market stalls would enhance the environmental by removing street clutter and improving natural surveillance. It would bring life and activity to a key entry point into the Northern Quarter.

## Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the detailed design, procurement and construction process. The applicants acknowledge that the market is competitive and the quality of the development is paramount.

A significant amount of time has been spent developing and costing the design to ensure that the submitted scheme can be delivered with a range of schemes having being tested before defining a preferred option. The materials have been selected following detailed research and discussions with contractors and suppliers to establish the cost parameters, maintenance requirements and to understand weathering characteristics, to ensure that they can be delivered within the cost parameters and are of appropriate quality and longevity. The application is accompanied by a detailed technical note setting out in detail the design intent to ensure that the detailing shown is deliverable.



The development team have delivered high quality buildings in city centre locations. They recognise the high profile nature of the site and design response is appropriate. The proposal has been reviewed by Places Matter who expressed general support.

The development has been demonstrated to be both viable and deliverable. Detailed initial investigations, including the: ground conditions and archaeology have been carried out which should help to insure against un-foreseen costs.

### Relationship to Transport Infrastructure

The highly accessible location would encourage the use of more sustainable forms of transport. The proximity to jobs and services within the city centre mean that many residents could make these journeys on foot.

The constrained nature of the site and the desire to ensure that the development creates active uses at ground floor level mean that it is not possible to provide car parking. There are multi storey car parks nearby and discussions have taken place with operators who have agreed in principle to make contract spaces available. A Transport Statement outlines the zero-car parking approach, but reviews local parking opportunities. The City Car Club offers a 'pay by the hour' car club rental scheme, giving residents a more convenient and cost effective alternative to car ownership. The closest bay to the application site is on High Street.

The Travel Plan would include a communication strategy to make residents aware of sustainable options. The Transport Statement concludes that the proposal would not adversely affect the operation of the highway or transport network and meets the criteria set out in national and local policy for sustainable development and that overall impact of the development on the local transport network would be minimal.

### Sustainability

New developments should attain high standards of sustainability. An Energy Statement and Environmental Standards Statement (ESS) set out a detailed assessment of the physical, social, economic and other environmental effects and considers it in relation to sustainability objectives. The ESS sets out the measures that could be incorporated across the lifecycle of the development to ensure high levels of performance and long-term viability and ensure compliance with planning policy.

The Code for Sustainable Homes was revoked in March 2015 but it is still important to understand how a development performs in respect of waste efficiency and energy standards.

Energy use would be minimised through good design in accordance with the Energy Hierarchy, improving the efficiency of the fabric and using passive servicing methods across the building. Improvements to the thermal performance and air tightness above Part L requirements of the Building Regulations have been incorporated before the application of energy reducing and then low carbon technologies.

The energy strategy has been informed by the Be Lean, Be Clean, Be Green hierarchy. Good practice sustainability measures have been incorporated as follows: Target Fabric Energy Efficiencies and Active Building Services designed to minimise direct energy consumption and CO<sub>2</sub> emissions, with particular emphasis on the following; Centralised gas fired boilers providing heating and hot water, Mechanical Ventilation Heat Recovery (MVHR), Low energy, efficient lighting

Passive design measures and energy efficiency would achieve a 10% reduction in annual regulated carbon emissions beyond the Part L 2013 benchmark and a 16% reduction in annual regulated carbon emissions beyond the Part L 2010 Building Regulations benchmark which surpasses the Core Strategy requirements.

The scheme would be inherently efficient and cost effective during occupation. The principles of the energy hierarchy have been applied and with the energy saving measures would result in a potential total CO<sub>2</sub> emissions reduction over the current Building Regulation target (2013).

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

This examines the impact that the scheme would have on nearby and adjoining occupiers and includes the consideration of issues such as impact on microclimate, daylight, sunlight and overshadowing, air quality, noise and vibration, construction, operations and TV reception.

#### Wind

A Wind Microclimate report assesses the potential impact on pedestrian level wind conditions. The study focused on the impact of wind patterns on people using the site and the surrounding area. Wind tunnel testing was undertaken combined with adjusted meteorological data from Manchester Airport. It found that the wind conditions remained suitable for the intended use on-site and off-site at all locations, and no strong winds occurred exceeding the safety threshold. The chamfered north-west corner provides mitigation by design, no further mitigation measures are required

There are no significant cumulative effects due to the size and proximity of the cumulative buildings. Wind conditions remain largely the same in the future scenario, and all locations are suitable for the intended use.

#### Daylight, Sunlight and Overshadowing

The nature of high density City Centre development means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in and a manner that is appropriate to their context

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

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

The neighbouring residential properties at 18-24 Church Street (The Lighthouse), 23 Church Street / 38 High Street, 3-5 Edgehill Street, 18-20 Turner Street, 25 Church Street, 12-16 Church Street, 3 Union Street, 1 Joiner Street (Bridgewater Place) and 3 Joiner Street (The Birchin) have been identified as potentially being affected in terms of daylight and sunlight.

The BRE Guide recommends that the cumulative impact of adjacent consented developments should be included as part of any daylight and sunlight assessments. Other sensitive sites are located on Red Lion Street (ref no 113713) and at Tib Street/Church Street (application ref no 114146 – under construction).

Other residential properties have been scoped out due to the distance and orientation from the site. The BRE Guidelines suggest that residential properties have the highest requirement for daylight and sunlight and states that the guidelines are intended for use for rooms where light is required, including living rooms, kitchens and bedrooms.

#### Demolition and Construction

Effects in relation to daylight, sunlight and overshadowing would vary throughout the demolition and construction phase. These would be less than the effects of the completed scheme.

#### **Daylight Impacts** (Completed Development)

The BRE Guidelines provides three methodologies for daylight assessment which should be considered holistically.

The VSC assessment considers how much Daylight can be received at the face of a window by measuring the percentage of all potentially available visible sky that is visible from the centre of a window. The less sky that can be seen means that less daylight would be available. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27% of all available visible sky.

The NSL test assesses how much light is cast into a room by examining the parts of the room where there would be a direct view of the sky from table top height. Daylight may be adversely affected if, after the development, the area in a room which can receive direct skylight at this height is reduced to less than 0.8 times its former value. Occupants would notice any reduction beyond this.

The Guidance states that a reduction of VSC and NSL beyond the guidance does not necessarily mean that the room would be lit inadequately lit. However, there is a

greater chance that the reduction in daylight would be more apparent. Under the Guidance, a scheme would comply if figures achieved are within 0.8 times of existing level as this would not be noticeable. The sensitivity analysis uses this value as a measure of when a reduction in daylight would be discernible and is referred to as the BRE target.

Average Daylight Factor (ADF), assesses how much daylight comes into a room and its distribution within the room taking into account factors such as room size and layout and considerations include:

- The net glazed area of the window in question;
- The total area of the room surfaces (ceiling, walls, floor and windows); and
- The angle of visible sky reaching the window(s) in question

In addition, the ADF method makes allowance for the average reflectance of the internal surfaces of the room. The criteria for ADF is taken from the British Standard 8206 part II which gives the following targets based on the room use:

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

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

Daylight can also be derived when it is reflected back into the room from the surrounding buildings. The light coloured facades of the proposal have been selected in order to reflect light back into the surrounding homes. Analysing externally reflected light is a very technical, lengthy and detailed process. It has, however, been undertaken upon the worst of the affected rooms to establish the extent to which the light reflected from the proposal would mitigate the most noticeable effects. This is known as a Radiance Daylight Analysis.

The NSL, ADF and Radiance Daylight tests assess daylight within a whole room rather than just that reaching an individual window. These tests therefore provide a better understanding of any overall daylight loss. The submitted assessment has considered all 3 tests for daylight assessment as well as the Radiance Daylight assessment.

The current building has a tower set back from a street level podium. This is not typical of the Smithfield Conservation Area or the Northern Quarter and apartments that overlook the site within 20 Church Street (The Lighthouse), 25 Church Street, 23 Church and 3 Joiner Street (The Birchin) have benefitted from conditions that are relatively unusual in a City Centre context. Therefore, the baseline situation against which the sunlight, daylight and overshadowing impacts, are measured are not representative of a typical baseline situation in a densely developed urban environment. The Guidance acknowledges that in a City Centre, or an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.”

Windows and rooms in an urban location have a lower expectation for daylight than those located in sub-urban, less dense areas. The significance of any effect upon the

existing windows and rooms is determined by the assessment of its magnitude against their expectation for daylight.

In terms of magnitude of effect the assessment of impact has been based initially on the following standard criteria.

**Negligible** - No alteration or a small alteration (0-20%) in VSC and/or NSL which is within the levels suggested in the BRE Guidelines. If the base line and proposed values are within 0.8 times of each other an occupier of an affected apartment would be unable to notice such a reduction.

**Minor** - Marginal infringements (20.1-29.9%) of the baseline VSC and NSL

**Moderate** - Moderate infringements (30 %-39.9%) of the baseline VSC and NSL

**Major 40%+** - Major infringements (40%+) of the baseline VSC and NSL

The assessments have been carried out on the basis of layout drawings for the surrounding buildings, but it has not been possible to access properties. Floor levels have also been assumed which dictates the level of the working plane for the No Skyline assessment. Realistic worst-case assumptions have been applied.

The following images identify the flats which would have the most noticeable loss of daylight as a result of the proposal.



23 Church Street

25 Church Street

12-16 Church Street



The BRE Guidance provides further advice about the sensitivity of a window to change in order to understand the impact where the target values are not met. This City Centre location is one where different target values should be adapted and there should be an expectation that a higher degree of obstruction is inevitable.

Where a building stands close to a common boundary, a higher degree of obstruction may be unavoidable. This is common in urban locations. VSC levels diminish rapidly as building heights increase relative to separation. As such, the adoption of the 'standard target values' should not be the norm in a city centre as this would result in very little development being built. The BRE Guide recognises that in such circumstances, 'alternative' target values should be adopted.

The methodology for setting alternative targets is set out in Appendix F of the Guide. Appendix F states that the values for assessing light are purely advisory and, as such, different targets may be used. For example: "...in a historic city centre, a typical obstruction angle from ground floor window level might be close to 40°. This would correspond to a VSC of 18%, which could be used as a target value for development...if new development is to match the existing layout"

This suggests that a more realistic VSC value for an urban location would be **18%** rather than 27%. With the same reduction the NSL target would be **53.4%** rather than 80%. This method, provides a much more contextual approach to the analysis, and reflects site specific characteristics and location.

The effect of the proposal on the daylight amenity to a room in this context is considered to be **minor adverse** in situations where BRE guidelines have not been met and:

- Any VSC and/or NSL alteration is **no greater than 30%** of the baseline value; and

- Despite any VSC and/or NSL alterations, all **windows** serving the room **retain at least 18% VSC** and the **room** which they serve **retains at least 53.4% NSL**.

i.e. irrespective of the level of light lost, they retain at least the alternate target values that would be appropriate in this location

The results of the Radiance Daylight Analysis (external reflected light assessment) are shown in the table below

Property	Reductions in overall daylight levels – no reflected light	Reductions in overall daylight levels – reflected light (based on assessment of worst affected rooms)	Retained overall daylight levels – (ADF) no reflected light (based on assessment of worst affected rooms)	Retained overall daylight levels – (ADF) reflected light (based on assessment of worst affected rooms)
23 Church St	40% to 75%	Up to 22%	1.13 to 1.33	1.84 to 3.08
25 Church St	30% to 50%	Up to 34%	1.20 to 1.44	1.99 to 2.40
12-16 Church St	48% to 79%	Up to 46%	1.12 to 1.25	1.45 to 1.70
3 Joiner St	30% to 100%	Up to 61%	0	0.24 to 0.34
18-24 Church St	30% to 50%	Up to 45%	0.88 to 2.09	1.27 to 3.54
Bridgewater Place	43% to 85%	Up to 68%	0.53 to 0.61	0.81 to 0.99

### 23 Church Street

In the existing site condition 21/54 windows are compliant for VSC daylight and 25/25 (100%) of rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target):

For VSC 16/54 of windows would be compliant.

For NSL 17/ 38 of rooms would be compliant.

4 of the 38 rooms would experience VSC and NSL alterations which are fully BRE compliant. 6 rooms experiencing a minor adverse effect to their daylight, when measured against realistic targets for an urban area

At least one of the windows of a 15 further rooms will experience changes in VSC which are of moderate to major adverse significance. Most of these rooms have another window that isn't affected so any change in the daylight distribution (NSL) would either be negligible or minor, or at least 60% of the room will continue to have direct skylight at table top height. All rooms would retain in excess of the BRE and British Standard level of ADF.

The change to daylight in these rooms may be noticeable but the change is considered to be minor adverse given the levels retained and the urban context.

The 13 remaining rooms comprise 9 bedrooms and 4 corner living rooms. The windows would all experience VSC and NSL alterations which are of moderate to major adverse which would be noticeable. These results have been interrogated further through an analysis of Radiance Daylight for those living rooms most affected i.e. the lowest 3 of the 4 corner living rooms. This showed that the lowest living room would experience a 0.5% reduction in its ADF, which is 22% less than its baseline value. However, the light reflected from the proposal compared to the existing buildings, means they would retain an ADF of 1.84%, which is in excess of the BRE and British Standard recommended for this type of room (1.5%). The other two living rooms would retain ADFs of 2.22% and 3.08%, which are well in excess of recommended level. The third floor living room would see an improvement in its daylight.

There would be some bedrooms which experience a noticeable change but the overall effect of the proposal on and the retained levels of daylight within the principle living spaces is of **minor adverse significance**.

### 3-5 Edgehill Street

In the existing condition 0/38 windows are compliant for VSC daylight and 0/20 (100%) of rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target) 38/38 of windows would be compliant for VSC and 18/20 rooms for NSL.

The windows in the 2 remaining rooms are fully BRE compliant with no window experiencing an absolute loss in VSC. The baseline level for these windows is already low such that even a small loss would produce a high percentage figure by comparison. However, the change in NSL would be noticeable but the ADF within the two rooms would change by no greater than 0.04% ADF. This will be at a level which would be imperceptible to the human.

The effect of the proposal on the daylight amenity would be of **negligible**.

### 25 Church Street

In the existing condition 60/171 windows are compliant for VSC daylight and 69/99 of rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target) 55/171 would be compliant for VSC and 89/99 rooms would be compliant for NSL.

17 rooms would experience a minor adverse effects to their daylight amenity when measured against the realistic targets for an urban area. The windows of the remaining 61 rooms all experience VSC changes of *moderate and major adverse* significance. Many of the windows are low level and have very low baseline VSC levels. Even the smallest loss of sky visibility would result in a disproportionate loss which would suggest a material and noticeable loss of daylight amenity.



Despite the moderate to major adverse losses in VSC the changes in NSL to 52 of the 61 rooms would be fully compliant. 7 of the remaining 9 rooms would be affected to a minor adverse extent and the remaining 2 rooms, experience NSL alterations of 34%, but retain NSL to 63%-66% of the area of the room.

These results suggest that the change to daylight in the 61 rooms would be noticeable. A sense of daylight would remain within these rooms as a result of the Birchin Lane gap directly opposite. The significance of the effect of the proposal on this building would be of **no greater than moderate adverse significance**.

A Radiance Daylight Analysis of the 2 worst affected rooms show that with the light reflected from the proposal the rooms retain a daylight level of 1.99% and 2.4% (ADF) which are in excess of the recommended level for a living room.

### 12-16 Church Street

In the existing condition 2/41 windows are compliant for VSC daylight and 22/23 of rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target) 2/41 of windows would be compliant for VSC and 8/23 rooms would be compliant for NSL.

Due to the height of the proposal and the narrow separation distance to this building, all affected windows experience changes in VSC which are major adverse. 23 rooms are located on the corner with windows which face onto Church Street. Therefore, the change in NSL is no greater than 0.7% and each retain an ADF of between 2.23% and 3.10% against a BRE and British Standard recommended 1.5%. The effect of the proposal is, therefore, considered to be of minor adverse.

There are 3 bedrooms next to the three lowest corner living rooms which do not have mitigating windows. As they are located close to the corner of the building, they have peripheral light from Church Street. As a result, despite the major adverse VSC alterations they would be fully compliant in NSL terms and retain ADFs of between 1.59% and 1.99% against a recommended 1% for a bedroom. The effect would be minor adverse.

The remaining 16 rooms would all experience material, noticeable and major adverse change. Radiance Daylight Analysis shows that whilst the 3 rooms will experience 43%-46% reductions in their ADF levels, reflected light means they retain ADF levels of 1.45%-1.7% against the recommended 1.5% for a principle living space.

Therefore, whilst the majority of the rooms in this building experience noticeable change, the overall effect in the principle living spaces, would be **moderate adverse**

### 3 Joiner Street

In the existing condition 101/218 windows are compliant for VSC daylight and 113/163 of rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target) 91/218 of windows would be compliant for VSC and 89/163 rooms for NSL.

70 of the 163 rooms would experience VSC and NSL alterations which are fully BRE compliant with the impact being negligible. 11 rooms would experience a minor adverse effect measured against the realistic targets for an urban area.

In a further 15 rooms, the VSC and NSL shows a material effect. However, an ADF analysis indicates that there will be a no greater than 0.1% ADF change, which will be unnoticeable to the human eye and the impact would be minor adverse.

3 of the 67 remaining rooms have four windows, only two of which are materially affected. The other two windows ensure that the rooms retain very good levels of daylight ranging from 4.49% to 5.37% ADF. The effect would be minor adverse.

The windows serving the remaining 64 rooms would have a major adverse alteration to VSC and NSL. This suggests the change would be noticeable. The majority of these have balconies which restrict sky visibility and can exacerbate the effect of a proposal. Without the balconies, the effect would be around 15% better and demonstrates that around 15% of the effects of the proposal are attributable to them.

Radiance Daylight Analysis shows that 6 rooms would experience 0.23% to 0.55% absolute reductions in ADF levels. These are relatively moderate reductions in absolute terms, but represent 50%-60% reductions relative to the baseline level and would be noticeable. These low level rooms are poorly lit in the existing situation and, therefore, supplementary lighting is most is already being used and impacts are, therefore, considered to be of no greater than moderate adverse.

The Radiance Daylight analysis of these 6 rooms suggests that the light reflected from the proposal would reduce the effect by 40%-50%. Using this rule of thumb and looking at the ADF values in the rooms higher up the building, this would suggest that there would be a material and noticeable changes in many rooms. There will also, however, be many rooms within which the retained ADF's will fall within the BRE and British Standard recommendations.

In consideration of the above, therefore, whilst many of the rooms in this building will experience a change in daylight amenity which is material and likely to be noticeable to the occupants, some of the effects are partially attributable to the balconies. The overall effect is considered to be of **moderate adverse significance**

#### 18-24 Church Street (The Lighthouse)

In the existing site condition 8/11 windows are compliant for VSC daylight and 10/10 rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target 1/11 windows would be compliant for VSC and 2/10 rooms for NSL.

3 rooms experience a minor adverse effect when measured against the realistic targets for an urban area. The windows in the remaining 7 rooms experience VSC and NSL alterations of moderate to major adverse impact which would be noticeable. Radiance Daylight analysis on the 3 worst affected rooms show that they experience 30%-45% reductions in their ADF levels, but with the reflected light from the proposal they retain ADF levels of 1.27%-3.54% against the recommended 1.5% for a principle living space and 1% for a bedroom.

Whilst the majority of the rooms experience noticeable change the overall effect on principle living spaces, would be **moderate adverse significance**

### Bridgewater Place

In the existing site condition 18/105 windows are compliant for VSC daylight and 22/78 of rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target) 14/105 of windows would be compliant for VSC and 14/78 rooms for NSL.

2 rooms would experience VSC and NSL alterations which are fully BRE compliant. 2 rooms experiencing a minor adverse effect when measured against the realistic targets for an urban area.

The windows of 41 rooms would have less than 5% VSC and less than 0.5% ADF. Supplementary electric lighting is most likely to already used in these rooms and will continue to be so with the proposal. The effect of the proposal would be minor adverse.

5 of the 31 remaining rooms are living rooms which have more than 1 window. Despite the alterations the rooms experience BRE compliant or, in the case of one room a 21.8% change in NSL and all retain between 1.47% and 2.18% ADF against the recommended level. The effect would be of minor adverse significance.

Of the remaining 26 rooms 14 are bedrooms and 12 living rooms. They would experience VSC and NSL alterations which are of moderate to major adverse. 8 of the 12 living rooms do, however, have low baseline daylight values with VSC of between 5% and 10%. The small (3%-6%) changes in visible sky are disproportionate reductions which suggest greater impacts than will actually be present.

This leaves 4 living rooms and 14 bedrooms whose daylight amenity is materially affected. Assessing the rooms using Radiance Daylight Analysis will, marginally improve the effect with 3 rooms achieving 56%-68% ADF reductions. This, suggests a noticeable change but marginally below the recommended ADF value for a bedrooms. The light reflected from the proposal would reduce the above to more than 10%. This is because this building can also derive daylight peripherally from Joiner Street.

18 rooms in this building will experience noticeable change, as this mainly affects bedrooms the impact would be of **moderate adverse significance**.

### 18-20 Turner Street

In the existing site condition 1/26 windows are compliant for VSC daylight and 3/12 rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target) 26/26 would be compliant for VSC and 12/12 for NSL.

### 3 Union Street

In the existing site condition 0/16 windows are compliant for VSC daylight and 1/12 rooms are compliant for NSL.

With the development in place and the results weighted to make the allowances as set out above (BRE target). 16/16 windows would be compliant for VSC and 12/12 rooms for NSL.

## **Sunlight Impacts (Completed Development)**

For Sunlight Impact assessment the BRE Guide sets the following criteria:

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

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

A sunlight reduction of over 20%, does not automatically mean that sunlight to that room is not sufficient but would be noticeable. The guide acknowledges that if an existing building is close to the common boundary a higher degree of obstruction may be unavoidable, especially in urban locations.

The impacts of the development within this context are set out below:

### 23 Church Street

In the existing site condition 30/38 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) 21/38 rooms would be compliant. .

Of the 17 remaining rooms 14 are bedrooms which, by virtue of their usage and as stated in the BRE guidelines, have a lower expectation for sunlight. Whilst the 3 affected living rooms will experience noticeable reductions, their baseline levels are uncharacteristically high for an urban location. The sunlight in these 3 rooms would fall marginally below recommended levels but retain total APSH levels of above 21% against the recommended 25%.

Some bedrooms experience noticeable changes that are moderate adverse the overall effect within the principle living spaces would be **minor adverse**.

### 3-5 Edgehill Street

In the existing site condition 20/20 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) 20 /20 rooms would be compliant.

### 18-20 Turner Street

In the existing site condition 3/12 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) 12/12 rooms would be compliant with the APSH target.

### 25 Church Street

In the existing site condition 64/65 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) 58/65 rooms would be compliant with the APSH target.

The remaining 7 experience noticeable reductions but their baseline levels are uncharacteristically high and all would be BRE compliant or better.

Winter sunlight levels will range from 2% to 4% against a BRE recommended 5%. Therefore, whilst 7 rooms experience a noticeable change the overall effect would be **minor adverse**.

### 3 Union Street

In the existing site condition 12/12 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) 12 /12 rooms would be compliant with the APSH target.

### 12-16 Church Street

In the existing site condition 0/3 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) all 3 rooms will experience changes in sunlight amenity which are major adverse in significance. The rooms will, however, retain a sense of sunlight and brightness will be reflected into the room from the façade of the proposed development.

### 3 Joiner Street

In the existing site condition 27/59 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) 36/59 rooms would be compliant with the APSH target.

1 of the remaining 23 rooms would experience a minor adverse effect. There are 9 living rooms in the remaining 22 rooms and the effect upon their sunlight material, noticeable and of major adverse significance.

With the exception of the two lowest living rooms directly facing the site, the other 7 living rooms retain a reasonable level of sunlight considering their urban location.. The overall effect is considered to be **no greater than of moderate adverse**.

### Bridgewater Place

In the existing site condition 0/6 rooms are compliant for APSH

With the development in place and the results weighted to make the allowances as set out above (BRE target) all 6 would be fully compliant.

### **Overshadowing**

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

Overall Impact on amenity of residents of 18-24 Church Street (The Lighthouse), 23 Church Street / 38 High Street, 3-5 Edgehill Street, 18-20 Turner Street, 25 Church Street, 12-16 Church Street, 3 Union Street, 1 Joiner Street (Bridgewater Place) and 3 Joiner Street (The Birchin) including privacy and overlooking

The properties have been adjacent to a site which is under developed. There is an identified need for more homes in the city centre. The proposal would re-use of a brownfield site which has a negative impact on the surrounding townscape efficiently. It is considered on balance that the level of impact and the public benefits to be derived weigh heavily in favour of the proposal.

The impacts on the levels of daylight and sunlight enjoyed by some of the residents of The Birchin and The Lighthouse are of some significance although overall there is a good level of compliance with the BRE Guidance when assessed against the alternative targets which are considered to be appropriate to context. These impacts are to some extent inevitable if the site is to be developed to an appropriate city centre scale

The following matters are however important in the consideration of this matter:

- A number of windows and rooms will experience gains in daylight and sunlight over those achieved with the previous planning permission. ????????
- Buildings that overlook the site have benefitted from conditions that are relatively unusual in a City Centre context;
- It is generally acknowledged that when buying/renting properties in the heart of a city centre, there will be less natural daylight and sunlight than could be expected in the suburbs;
- When purchasing or renting a property in any urban location, sited close to a derelict plot of land, the likelihood is that redevelopment will occur. This is increased in a city centre like Manchester where there is a shortage of city housing;
- The site is within the City Centre and designated for high density development;
- Reductions to the scale of the development could make it unviable.

It is considered that that the above impacts have been tested and perform reasonably against the BRE guidelines

### Cumulative Effects

- Demolition and Construction - Effects in relation to daylight, sunlight and overshadowing would vary throughout demolition and construction. Those effects, which may be perceptible during construction, would be similar or less than those of the completed proposal with cumulative schemes set out below.

Completed Development - There would be a total of 945 windows serving 616 rooms including existing and cumulative schemes surrounding the site. These have all been assessed in terms of VSC and NSL with the exception of 25 Church Street, there is no change in the effect of the proposed development with the two cumulative schemes in place.

At 25 Church Street, the two cumulative schemes alter the baseline daylight and sunlight levels within a few rooms to the effect that the construction of the proposal would result in a lesser effect upon them.

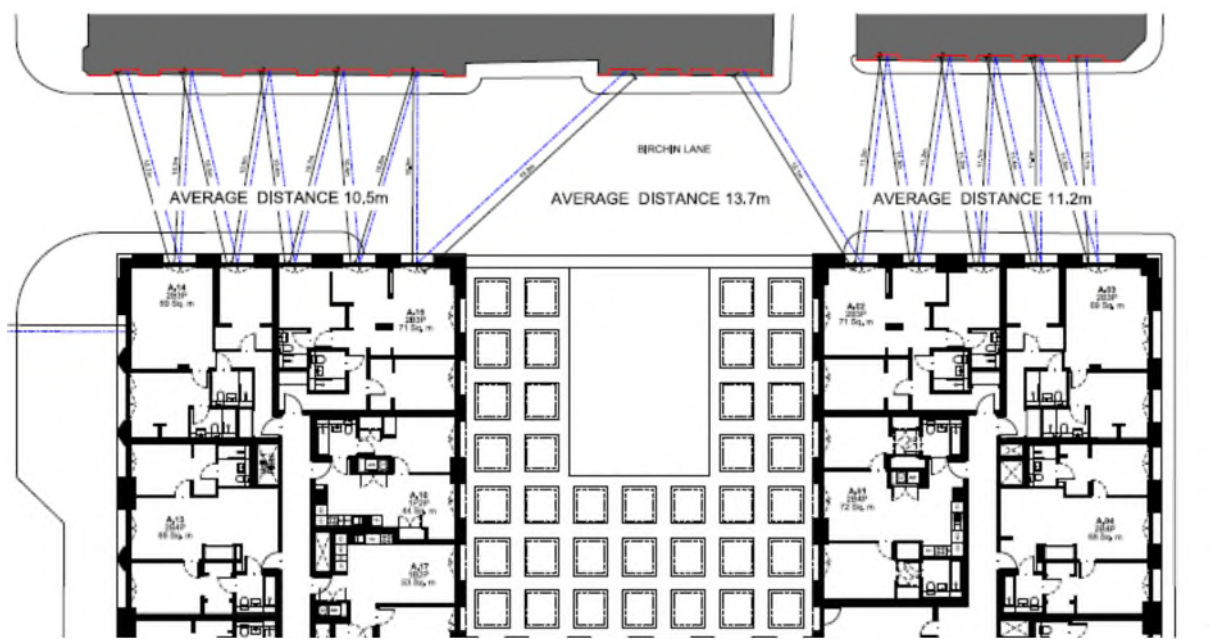
The effect of the proposal on the two cumulative schemes would be negligible on daylight amenity at the Red Lion Street site with a minor adverse effect on sunlight amenity within two of the 20 rooms assessed. The proposal would have a minor adverse effect on daylight within one of 120 room and a negligible effect upon all rooms material for sunlight assessment.

### Mitigation Measures

Whilst the proposal would cause some daylight and sunlight effects with a greater than minor adverse significance, no mitigation measures, beyond the design are available. The mitigating design features include:-

- i. raking back of the upper floors which reduces the mass of building.
- ii. The chamfered corner on High Street /Church Street would allow more light to pass around it.
- iii. All balconies are Juliette's and do not project outside the envelope.
- iv. The building line along Church Street has been brought in by 1.1m from the line of the market stalls widening the building to building distances on this part of the street
- v. The pale glazed ceramic would reflect natural daylight and be responsive to different lighting conditions during the day.

Overall Impact on amenity of residents of The Birchin and Lighthouse including privacy and overlooking



A key consideration is whether the proposal would impact on the amenity for neighbouring residents. The properties benefit from being adjacent to a site which does not respect the historic grain of building in this area. This creates greater distances to adjacent buildings. The minimum distance between buildings across Birchin Lane would be approx 10 m and the buildings step back at the 4/5<sup>th</sup> floors (Pall Mall House) and 7<sup>th</sup> floor (Birchin House) with many distances increasing with building height. The Church Street blocks opposite set back between approx 20m to 21m. The minimum distance between buildings across Joiner Street would be approx 7m metres up to the 6<sup>th</sup> floor level (Birchin and parts of The



Lighthouse Hotel and Apartments. The apartments under construction on the former Tib Street surface are 7m across Joiner Street iup to the 6<sup>th</sup> floor level.

The separation distances proposed are on the whole greater than is characteristic of that between other buildings within the immediate area and are considered to be in-keeping with the existing dense urban environment within the Northern Quarter as can be seen from the following examples.

All distances shown on the above diagram refer to habitable to habitable windows.



1 – Roman Entry – 6m



2 – Union Street – 6.1m



3 – Catlow Lane – 3.5m



4 – Kelvin Street – 4.7m



5 – Carpenters Lane – 5.5m



6 – Hare Street – 6.2m

The buildings that occupied the site prior to 1969 were more typical of the urban grain that prevails in the area. Those buildings would have had windows opposite those in adjacent apartment. The 'U' shaped plan form of the proposals has reduced the number of windows which would be directly overlooked at back of pavement line.

Manchester has an identified housing need and the city centre has been identified as the most appropriate location for new development. The proposal would result in the efficient re-use of a brownfield site which has a negative impact on the surrounding townscape. It is considered on balance that the level of impact and the public benefits to be derived weigh in favour of the proposal.

## Air quality

An air quality assessment has considered whether the proposal would change air quality during the construction and operational phases. The majority of the site is within an Air Quality Management Area (AQMA) where air quality is known to be poor as a result of emissions from surrounding roads.

Dust would be inevitable during construction but there is limited demolition with most works associated with earthworks and above ground construction. Good on site practices during this stage this would ensure dust and air quality impacts are not significant. This should remain in place for the duration of the construction period and should be the subject of a condition.

The impacts on air quality once complete would not be significant. No car parking is proposed and occupants would be encouraged to cycle and there is 75% provision. The proximity of public transport means that many residents would walk or use public transport. In light of the mitigation measures proposed above, there would be no detrimental impact on existing air quality conditions as a result of the development.

## **Noise and Vibration**

Whilst the principle of the proposal is acceptable, the impact that adjacent noise sources might have on occupiers needs to be considered. A Noise Report concludes that with appropriate acoustic design and mitigation, the internal noise levels would be acceptable.

The level of noise and mitigation measures required for any externally mounted plant and ventilation should be a condition of any consent granted.

Access for deliveries and service vehicles would be restricted to daytime hours to mitigate any impact on adjacent residential accommodation.

During the operational phase the proposal would not produce noise levels or vibration that would be significant. Disruption could arise during construction. The applicant and their contractors would work and engage with the local authority and local communities to seek to minimise disruption. A Construction Management Plan should be a condition and would provide details of mitigation methods. Construction noise levels have been estimated based on worst case assumptions to be of moderate temporary adverse effect. Following mitigation construction noise is not likely to be significant.

Acceptable internal noise levels can easily be achieved with relatively standard thermal glazing.

Vibration from trams on High Street is low and is unlikely to result in an adverse effect. It is possible that vibration could pass through the building's structure but mitigation would address this.

## **TV and Radio reception**

A Baseline TV Reception Report has been prepared in support of the Application. The assessment indicates that there is good signal reception at the locations surveyed. At all measurement locations, recorded field strength levels for Digital Terrestrial Television ('DTT') signals from the Winter Hill transmitter were mostly found to be above the recommended minimum limits for both standard and high definition. Should there be any post construction impact a series of mitigation measures have been identified which could be controlled by a condition.

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

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

#### Crime and Disorder

The increased footfall, additional residents and the improvements to lighting would improve security and surveillance. Greater Manchester Police have provided a crime impact assessment and the scheme should achieve Secured by Design accreditation. An appropriate condition is recommended.

#### Archaeological issues

Greater Manchester Archaeological Unit have concluded that the site is unlikely to retain any archaeological interest and have confirmed that no further archaeological work is necessary.

#### Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS)

The proposals would have no adverse effect on statutory or non-statutory sites designated for nature conservation. None of the habitats within the site are of ecological value in terms of plant species and none represent natural or semi-natural habitats or are species-rich. There are no examples of Priority Habitat and no invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are present. It is unlikely that bats roost in the buildings. However, there maybe crevice dwelling bats who utilise the buildings occasionally. As a precaution, Reasonable Avoidance Measures would be carried out prior to the demolition of certain features. If bats are found or suspected, as a legal requirement, works should cease immediately until further advice has been sought from Natural England or the scheme ecologist.

Tree planting in the courtyard and the planting on the roof terrace would improve biodiversity and form corridors which enable natural migration through the site. The increase in green infrastructure would increase opportunities for habitat expansion leading to an improved ecological value within the local area. A condition would require mitigation for the loss of potential bat roosting features and to explore potential for street tree planting on Church Street and High Street.

## Waste and Recycling

A ventilated refuse chute has been integrated on each residential floorplate opposite the main lift core. This would contain a tri-separator compaction machine which provides a facility for residents to recycle separate waste streams which are then sorted into separate 1100L Eurobins. The refuse store has been sized in line with 'GD 04 Waste Storage and Collection Guidance for New Developments with 0.43sqm of space for each apartment. Compacted General Waste will be collected by a private collection.

A retail/restaurant refuse store would be located off the arcade leading to Church Street so as not to detract from the active frontage to Stationer's Court.

The refuse collection strategy would be part of the Resident Management Strategy which would be a planning condition.

In accordance with MCC guidance, containers would be taken to a designated location on collection day. Level access would be provided between the bin store and the highway with dropped kerbs adjacent to the loading bay.

## Servicing and Deliveries

Delivery and postal vehicles would be able to park on Bridgewater Place nearest High Street during permitted hours.

Retail/Restaurant Deliveries would be from the designated delivery lay-by on Birchin Lane.

The main access for the MCSP would be a new lay by on Church Street.

A condition requiring the agreements of a final service management strategy would be attached to any consents granted.

## Flood Risk and Sustainable Urban Drainage Strategy

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

Surface water run-off would be minimised and reduced to a greenfield rate if practical, and the post development run-off rates would be reduced to 50% of the pre development rates.

Attenuation storage would be either tank and pump or tank and flow control device such as a hydro-brake unit. This would be located below the ground floor slab or located externally in the court yard. The attenuation storage will facilitate a

restriction of surface water runoff to 50% of the existing rate which equates to 20l/s based on a 1 in 2 year storm event.

Conditions would require details of the surface water drainage and a maintenance and management plan to be submitted for approval. The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with the policy principles.

Contaminated Land Issues – A phase 1 Geo- environmental Report (Desk Study) has assessed geo-environmental information based on desktop / published sources, a site walkover survey. The potential for the presence of contamination associated with Made Ground beneath the existing structure is considered to be limited. The UXO risk is confirmed to be low

The historical uses of the site mean that mitigation measures may be required to deal with on-site contamination. With these measures in place, the site would present a low risk to future site users and construction workers.

A condition would require a full site investigation and remediation measures to be submitted and agreed and on the MSCP site a condition requiring a watching brief for any contamination would be attached to any consent granted.

Cycle Parking - Secure and covered residential cycle parking is proposed to be provided within the curtilage of the building at ground floor and mezzanine. Cycle parking is set at 75% overall provision on site (270 spaces for 361 residential units)..

Disabled access – The building would be accessible to all and is designed to meet the accessible standards as set out in Approved Document Part M 2015 Edition and the 2010 Equality Act. All feasible and practicable measures described within Design for Access 2 (DFA2) have also been incorporated into the design. This would deliver homes that allow adaptation of the dwelling to meet the changing needs of occupants over time, including those of some older and disabled people. Over 10% of the units would comply with Building Regulations M4(2) standards.

There are approximately 11 dedicated accessible parking spaces close to the site around which includes; 3 spaces on Brick Street, 4 on High Street either side of its junction with Back Turner Street, 1 on Turner Street, 1 on High Street adjacent to its junction with Edge Street and 1 on Thomas Street and 1 on Edge Street.

There will also be opportunities for disabled car users who will reside in the development to rent spaces in nearby off-site car parks through NCP.

It is considered in consideration of the above that the new building would have an overall good level of compliance with DFA2.

Local Labour – A condition would be attached to any consent granted which sets our requirements in relation to the employment of The Council's Work and Skills team would agree the detailed form of the Local Labour Agreement.

Airport Safeguarding - Given the scale of the development, the proposal has been considered with regards to any potential impacts on aerodrome safeguarding. Aerodrome safeguarding who have found no conflict with any safeguarding criteria.

Construction Management - Measures would be put in place to minimise the impact of the development on local residents such as dust suppression, minimising stock piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site.

Provided appropriate management measures are put in place the impacts of construction management on surrounding residents and the highway network can be mitigated to be minimal.

### **Social Value from the Development**

The proposal would support the creation of a strong, vibrant and healthy community. In particular, the proposal would:

- Attract new visitors which would increase local expenditure in the independent cafes, bars, restaurants and shops close to the Site;
- Promote regeneration in other areas;
- The proposal would not cause harm to the natural environment and would reduce carbon emissions through the building design;
- It would provide job opportunities for local people through the agreement required to discharge the local labour agreement condition that would be attached to any consent granted;
- Help to foster a sense of community through creating opportunities for people to come together in a natural setting, such as in Stationer's Court;
- Help to reduce crime through an increase passive surveillance through the active ground floor uses and the overlooking from residential accommodation;
- Widening of Birchin Street will increase visibility and increase the attractiveness of the route for pedestrians;
- Will provide access to services and facilities via sustainable modes of transport, such as through cycling and walking. The proposed development is very well located in relation to Metrolink, rail and bus links;
- Will not result in any adverse impacts on the air quality, flood risk, noise or pollution and there will not be any adverse contamination impacts;
- Will not have a detrimental impact on protected species; and
- Will regenerate previously developed land with limited ecological value in a highly efficient manner

### **Response to TFGM's / Highways comments 121447 (Markets)**

A condition attached to any consent granted would require further details to be submitted to demonstrate that the operation of the Market Stalls would not affect pedestrian safety.

### **Response to Objectors Comments 121375**

The majority of the comments have been dealt with above, however the following is also noted:

- The guidance in the Conservation Area Leaflet needs to be considered alongside Policy and as set out above it is considered that the site is an appropriate part of this Conservation Area for a taller building.
- The façade responds to the key design features of the Conservation Area whilst being of scale appropriate to its specific location.
- The proposal includes ground floor commercial floorspace that appeal to independent retails such as those found in the Northern Quarter. They would be subject to an operational management scheme with requirements to ensure amenity is not compromised, such as appropriate opening hours to be agreed with the Council
- This is a highly sustainable location reducing the need for car usage and parking is not proposed.
- The development incorporates sustainable measures and would include a rooftop garden with planting.
- The back streets provide important access for servicing and deliveries for proposed and existing buildings. High Street and Church Street is restricted by Metrolink and bus lanes/loading restrictions. The general environment of Birchin Lane will be significantly improved.
- Discussions with a parking operator would be available for car parks within 5-10mins of the site. The developer has also agreed to provide a City Car Club Space near to the site.
- The design and access statement sets out clearly how emergency vehicles will be able to access the site via Birchin Lane.
- The Head of Environmental Health is satisfied that the amount of bins proposed is acceptable and compliance with the City Council's Guidance.
- Highways have requested a robust service management plan to be conditioned which will ensure that servicing of the site is managed appropriately.
- The Environmental Statement includes a detailed Townscape and Visual Impact Assessment which assessed the visual impact of the proposal from seven representative views.

Views 5 and 6 show the proposal in the context of Church Street and the assessment concludes there would be a beneficial impact due to the improved legibility, architectural style and street level activation. The views in



the Design and Access Statement address the massing from street level where the proposal is not shown in its whole as it won't all be seen. The massing was presented at the second consultation held in July 2018.

The applicant explored options a lengthy period which were considered against a number of planning issues including heritage and daylight and sunlight.

The proposal aims to reconnect the Site to the Northern Quarter through ground floor uses.

In response to the additional comments made in relation to the Sunlight and Daylight Analysis as a result of the re-notification, the following is noted:

- Section 2.2 of the 2011 BRE guidelines, references the assessments which should be undertaken in order to quantify the effect of a proposed development upon the daylight and sunlight within existing buildings. It states that consideration should be given to both the amount of visible sky from the centre of the outside of the window face (VSC) and the amount of visible sky at table top height within the room (NSL);
- Paragraph 2.2.3 states:- *“... the numerical guidelines given are purely advisory. Different criteria may be used based upon the requirements for daylighting in an area viewed against other site layout constraints. Another important issue whether the existing building is itself a good neighbor, standing a reasonable distance from the boundary and taking no more than its fair share of light”*;
- It should be borne in mind when viewing percentage of baseline reduction that, due to their urban location, many of the surrounding windows already have low levels of sky visibility and even small changes can present themselves as disproportionately large percentage reductions suggestive of a change that is more material than it actually is;
- Section 2.1 of the Guidance relates to the consideration of the level of daylight amenity with respect to the design of a new development;
- Section 2.2 of the BRE guidelines references 27% VSC as a target value. Appendix F demonstrates that this is, however, predicated upon a general construction angle of 25 degrees. It then goes on to state that if, following the construction of a new development, the VSC level should fall below 27% or if it is below that in the existing situation and reduces by more than 20% of the original baseline value, then the change in daylight amenity may be noticeable to the occupant;
- The VSC assessments which have been undertaken have not replaced these 'standard' assessment values with any of the others from Appendix F of the guidelines. The overall effect of the proposed development has, however, considered retained VSC values which are more representative of the urban location of the site including considerations relating to many of the windows

surrounding the site already having well below these values due to their urban location;

- Only properties which will not experience any changes to their level of daylight amenity which breach the guidelines laid down in Section 2.2 have been judged to experience a negligible effect;
- There will be some losses of daylight and sunlight amenity to the surrounding properties which are beyond the strict BRE guidelines and some rooms will not meet the minimum recommended ADF levels for new developments. Again many of the surrounding windows and rooms do not meet the minimum recommended daylight/sunlight levels in the existing situation due to their urban location. The assessments undertaken have, therefore, considered how much light will be lost when the Proposed Development is constructed, how much will be retained and, in relation to the urban location of the surrounding properties, the significance of the changes relative to the expectancy for daylight in such a location.;
- Radiance Daylight assessments are very technical and complex. They have, however, been undertaken upon those rooms which will experience more material VSC and NSL changes in order to understand the overall level of change in daylight when the light which will be reflected from the façade of the Proposed Development back into the rooms is also considered. The assessments have been undertaken using publicly available floorplans or from reasonable assumptions based upon external architecture;

S149 (Public Sector Equality Duty) of the Equality Act 2010 - The proposed developments would not adversely impact on any relevant protected characteristics including those of the Market Stall holders as alternative premises are to be provided for them close to the existing site. A condition would be attached to any consent for the redevelopment (121375) which requires that the alternative premises would be available prior to any demolition of the existing market stalls.

### **Legal Agreement**

The proposal would be subject to a legal agreement under section 106 of the Planning Act to secure an appropriate reconciliation payment for offsite affordable housing in the City as explained in the paragraph with heading “Affordable housing” in respect of 121375.

### **CONCLUSION**

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

The development would deliver a high quality building and regenerate a poor quality site (with the exception of 20-22 High Street) and would respond well to its context. The site is could accommodate a building of the scale and massing proposed

without harming the character of the Smithfield Conservation Area or the setting of adjacent listed buildings. The façade has been based on the characteristics of the Conservation Area. The street-frontages to Church Street, High Street and Birchin Lane would be re-vitalised and retain street-edge enclosure, while also complementing the vertical rhythms, established scale and visual texture of the individual streets.

The street-frontages would respond to the historic form of development. The scheme would add activity and vitality and would reintegrate the site into its urban context, reinforcing the character of the streetscape

The development would inevitably impact on amenity and affect sunlight, daylight, overshadowing and privacy in adjacent properties. It is considered that that these impacts have been tested and perform given the historic City Centre context to an acceptable level against the BRE guidelines

The proposals have been considered in detail against the policies of the current Development Plan and taken overall are considered to be in compliance with it a second required by Section 38(6) of the Planning and Compulsory Purchase Act 2004

The proposal would establish a sense of place, would be visually attractive, sympathetic to local character and would optimise the use of the site and would meet with the requirements of paragraph 127 of the NPPF.

The economic, social and environmental gains required by para 8 of the NPPF are set out in the Report and would be sought jointly and simultaneously. The site does not currently deliver fully in respect to any of these objectives and has not done for some time.

The setting of the listed Ryland's Building and the character of the adjacent Conservation Areas is currently undermined by the sites appearance

The NPPF (Paragraphs 192, 193 and 196) requires that all grades of harm to a designated heritage asset are justified on the grounds of public benefits that outweigh that harm. Paragraph 197 requires in the case of applications which directly affect a non designated heritage assets a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

The loss of 20-22 High Street does cause less than substantial harm but this is justified by the public benefits derived from the comprehensive redevelopment of the site. These benefits will endure for the wider community and not just for private individuals or corporations.

It is considered that the public and heritage benefits of these proposals would secure the objectives of sustainable development and notwithstanding the 'great weight' given to conservation it has been demonstrated that the level of harm and conflict between the provision of such public benefits and heritage conservation is necessary to deliver those public benefits.

On balance there is policy support for the proposals. There would be a degree of less than substantial harm but the proposals represent sustainable development and

would deliver significant social, economic and environmental benefits. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the adjacent listed buildings and the character of the conservation area as required by virtue of S66 and S72 of the Listed Buildings Act within the context of the above, the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196 and 197 of the NPPF and that the harm is outweighed by the benefits of the development.

**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**

**121375- Mindful to Approve** (subject to a legal agreement in respect of reconciliation payment of a financial contribution towards off site affordable housing)

## **121446 – TEMPORARY 5 YEAR APPROVAL**

## **Article 35 Declaration**

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

## **121375**

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

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

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

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

(a) Dwgs 1816-FCBS/P/0099-Existing Site Plan- P1, 1816-FCBS/P/0100-Site Location Plan-P1, 1816-FCBS/P/0110-Proposed Site Plan-P1

(b) Dwgs 1816-FCBS/P/0200B-Proposed Basement Plan-P1  
1816-FCBS/P/0200-Proposed Ground Floor Plan-P2  
1816-FCBS/P/0200M-Proposed Mezzanine Plan-P2  
1816-FCBS/P/0201-Proposed First Floor Plan-P2  
1816-FCBS/P/0202-Proposed Typical Floor Plan (Levels 02-14)-P2  
1816-FCBS/P/0215-Proposed Fifteenth Floor Plan-P2  
1816-FCBS/P/0216-Proposed Sixteenth Floor Plan-P2  
1816-FCBS/P/0217-Proposed Seventeenth Floor Plan-P2  
1816-FCBS/P/0218-Proposed Eighteenth Floor Plan-P2  
1816-FCBS/P/0219-Proposed Nineteenth Floor Plan-P2  
1816-FCBS/P/0220-Proposed Twentieth Floor Plan-P2  
1816-FCBS/P/0216-Proposed Roof Plan-P1  
1816-FCBS/P/0700-Proposed Section AA-P1  
1816-FCBS/P/0701-Proposed Section BB-P1  
1816-FCBS/P/0800-Proposed High Street Elevation-P1  
1816-FCBS/P/0801-Proposed Church Street Elevation-P1  
1816-FCBS/P/0802-Proposed Birchin Lane Elevation-P1  
1816-FCBS/P/0803-Proposed Bridgwater Place Elevation-P1  
1816-FCBS/P/0804-Church Street / High Street Corner Elevation-P1  
1816-FCBS/P/0301- Typical Bay Elevation to Retail- P1  
1816-FCBS/SK106-A - Proposed High Street Plan  
RFM-XX-00-DR-L-0001-Ground Floor General Arrangement  
RFM-XX-22-DR-L-0002-Roof Terrace General Arrangement  
RFM-XX-00-DR-L-0003-Ground Floor Illustrative Masterplan  
RFM-XX-22-DR-L-0004-Roof Terrace Illustrative Masterplan  
RFM-XX-00-DR-L-0005-Ground Floor Illustrative Sections  
RFM-XX-22-DR-L-0006-Roof Terrace Illustrative Sections; and  
RFM-XX-22-DR-L-0007-Planting Strategy

(c) FCBS Planning Design Intent Quality Note 18-01-19;

(d) Waste Management Strategy Pages 112-113 of FCB Architects High Street Manchester Design and Access Statement;

(e) Recommendations in sections, 3, 4, 5, 6 and 7 of the Crime Impact Assessment Version A dated 11/09/18; and

(f) FCSB High Street Accommodation Schedule;

(g) Archaeological Desk-based Assessment, 24-32 & 20-22 High Street, Manchester by the University of Salford;

(h) Mitigation Measures within Chapter 6 and Appendix 6.1 -6.4 (Energy Centre modelling methodology within High Street Manchester) of the Environmental Statement August 2018 by Deloitte Real Estate;

(i) Mitigation measures within Chapters 8,9,11 and 12 and Appendices 8.1, 9.1-9.3, 11.1-11.2 and 12.1 of the Environmental Statement August 2018 by Deloitte Real Estate;

(j) Measures detailed within Avison Young's Commercial Letting and Management Statement in Relation to: High Street, Manchester  
On behalf of CEG Partnership; and

(k) Mitigation measures set out in High Street Manchester - Environmental Statement Volume 1, August 2018 and Appendix 6.1 Energy Centre modelling methodology.

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

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

Samples and specifications of all materials to be used on all external elevations, drawings to illustrate details of full sized sample panels that will be produced. The panel to be produced shall include jointing and fixing details between all component materials and any component panels, details of external ventilation requirements for the residential accommodation, details of the drips to be used to prevent staining and details of the glazing and frames, a programme for the production of the full sized sample panels and a strategy for quality control management; and

(b) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and drawings as agreed above.

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

4) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site has been made, and evidence of that contract has been supplied to the City Council as local planning authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing

building pursuant to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policies SP1, EN3 and DM1 of the Core Strategy and the National Planning Policy Framework.

5) No development shall commence unless or until an equipment protection and network disruption strategy and TfGM equipment access, fire, security, ventilation and maintenance strategy has been agreed with TfGM relating to the safeguarding and maintaining of equipment currently installed in the basement of 20-22 High Street and evidence of the approved strategy and agreed triggers for its implementation has been supplied to the City Council as local planning authority.

In relation to equipment protection and network disruption this shall include:

1. Measures to be implemented during piling operations (which may require, for example, the replacement of protection relays with anti-vibration components or other equipment modifications at the developer's cost)
2. Network disruption mitigation measures (which shall be agreed with TfGM and funded by the developer) to provide network resilience to enable the maintenance of the current operational service pattern. For the avoidance of doubt this may include the installation of additional equipment beyond the development footprint.
3. Maintenance of the low voltage power supply to TfGM equipment so as to be available and operational throughout the construction period including replacement if required and provision for any downtime (all at the developer's cost)
4. Measures to be taken to ensure 24 hour, 7 days per week access to TfGM infrastructure during demolition and construction
5. Provision of a single nominated point of contact to manage the strategy and liaise with TfGM and the Metrolink operator throughout the demolition and construction phases of the project. The nominated contact shall keep TfGM fully informed of progress via meetings and reports (at a frequency of no less than monthly) and shall provide site supervision of any construction activities which could impact on Metrolink infrastructure

In relation to the TfGM equipment access, fire, security, ventilation and maintenance strategy this shall include:

1. Evidence that the access route between the street and the TfGM premises provides sufficient space to transport the largest piece of Metrolink equipment. The evidence shall include a "swept path" analysis to prove that the lift, corridors, door openings etc. are of sufficient dimensions to enable the movement of the equipment.



2. Security measures to be employed to protect the access route to the TfGM premises and only allow access by authorised persons (which shall be available on a continuous 24 hour basis).
3. Detailed proposals for fire safety management of the TfGM premises including integration with the main building systems and provision of an early warning system with a direct link to the Metrolink Operator
4. Detailed proposals for provision of a ventilation system to provide a suitable operational temperature for the equipment in the TfGM premises and air quality for persons working and accessing the equipment rooms
5. Detailed proposals for a security alarm system for the TfGM premises with remote monitoring by the Metrolink operator.

The agreed strategies shall be implemented prior to demolition and shall thereafter be retained and maintained in situ.

Reason - To ensure that suitable mitigation for the continued operation of the Metrolink system is agreed and appropriate mitigation is in place prior to development commences pursuant to the provisions Core Strategy policy DM1

6) No demolition of the existing market stalls shall commence unless or until the development comprising the provision of alternative premises for the current market stall occupants as set out in application ref no 121447/FO/2018 is complete and available for occupation to those tenants who wish to relocate.

Reason

For the avoidance of doubt pursuant to Section 149 of the Equality Act (Public Sector Equality Duty) 2010 and pursuant to Core Strategy Policies SP1, EC1 and EC2

7) Prior to the commencement of development a programmes for submission of final details of the public realm works and highway works as shown in dwg numbered RFM-XX-00-DR-L-0001, FM-XX-22-DR-L-0002, RFM-XX-00-DR-L-0003, RFM-XX-22-DR-L-0004, RFM-XX-00-DR-L-0005, RFM-XX-22-DR-L-0006 and RFM-XX-22-DR-L-0007; shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

- (a) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the pavement and the line of the proposed building on High Street, Church Street, Birchin Lane and Bridgewater Place;
- (b) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of Bat bricks and/or tubes, green/brown roof, green walls, bird boxes and appropriate planting;
- (c) A strategy for the planting of street trees within the pavements on Church Street and High Street including details of overall numbers, size, species and planting specification, constraints to further planting and details of on going maintenance;

- (d) Improvements to Street Lighting around the site;
- (e) A management strategy for the courtyard area and building entrances including hours during which the courtyard and routes through would be open to the public;
- (f) opening hours for the communal roof terraces; and
- (g) A building cleaning schedule.

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

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

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and to ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

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

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

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

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

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

9) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority with consideration to include consultation with TFGM (Metrolink) which for the avoidance of doubt should include;

- \*Display of an emergency contact number;
  - \*Details of Wheel Washing;
  - \*Dust suppression measures;
  - \*Compound locations where relevant;
  - \*Location, removal and recycling of waste;
  - \*Routing strategy and swept path analysis;
  - \*Parking of construction vehicles and staff;
  - \*Sheeting over of construction vehicles;
  - \*Details of how measures in relation to safe working near to Metrolink will be complied with;
  - \*Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;
  - \*Agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period;
- the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
- \* Details of the loading and unloading of plant and materials;
  - \* Details of the storage of plant and materials used in constructing the development;
  - \* construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
  - \* Details showing the erection and maintenance of security hoarding at a minimum distance of 1.5m from the kerb which demarcates the tramway path, unless otherwise agreed with Transport for Greater Manchester;
  - \*The provision of a "mock up" security hoarding to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection;

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

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

10) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a historic building recording for 20-22 High St. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
  - a Historic England Level 3 historic building survey
  - a watching brief during stripping out work to record historic fabric
2. A programme for post investigation assessment to include:
  - analysis of the site investigation records and finds
  - production of a final report on the significance of the historical interest represented.
3. Dissemination of the results commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

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

11) The development shall be carried out in accordance with the Crime Impact Statement Version A dated 11-09-18. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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

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

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

- o Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building. Hydraulic calculation needs to be provided;
- o Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- o Construction details of flow control and SuDS attenuation elements.

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

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

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

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

14) The development hereby approved shall be carried out in accordance with the ASE II Manchester Limited, High Street, Manchester, Outline Sustainability Strategy, 13.07.2018 Revision D and ASE II Manchester Limited, High Street, Manchester, Outline Energy Strategy, 13.07.2018 Revision D, SUSTAINABILITY by Hoare Lee SUSTAINABILITY

A post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

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

15) Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment associated with

- (a) the residential development; and
- (b) each commercial unit;

to ensure that it achieves a background noise level of 5dB below the existing background (La90) 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 completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

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

16) Before the development commences a scheme for acoustically insulating and mechanically ventilating the residential accommodation against noise from adjacent roads and the adjacent tram and mitigating vibration and reradiated noise levels associated with the operation of the adjacent tram line shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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

## Reason

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

18) Notwithstanding the TV reception survey prepared by Hoare Lee G High Street, Manchester Pre-Construction Television and Radio Reception Survey 15/08/2018 Revision 03 and Deloitte's E-mail dated 25-06-19 in relation to TV Reception, within one month of the practical completion of each phase of the development or before the residential element of the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

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

19) The ground floor commercial units shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse for each unit; has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

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

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

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal



iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

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

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

21) Final details of the method of extraction of any fumes, vapours and odours from (a) the apartments; and (b) each of the ground floor units shall be submitted to and approved in writing by the City Council as local planning authority prior to occupation of each use / ground floor A3 / A4 unit The details of the approved scheme shall be implemented prior to occupancy and shall remain in situ whilst the use or development is in operation.

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

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

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

23) Before any use hereby approved commences, within each of the ground floor units details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be not be operated outside the hours approved in discharge of this condition.

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.

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

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

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

Details of how 24 hour management of the site in particular in relation to servicing and refuse (storage and removal) and noise management of communal areas and protecting Metrolink infrastructure from objects thrown from the roof gardens shall be submitted to and agreed in writing by the City Council as Local Planning Authority. Full details of a maintenance strategy for the areas of public realm adjacent to the site including surfaces, planting and litter collection and details of where maintenance vehicles would park

shall be submitted to and agreed in writing by the City Council as Local Planning Authority.

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

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

26) The development hereby approved shall be carried out in accordance with the Travel Plan Framework prepared by Mott McDonald dated July 2018. In this condition a travel plan means a document that includes the following:

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

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

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

27) No part of the development shall be occupied unless and until details of a parking management strategy for residents has been submitted to and approved in

writing by the City Council as Local Planning Authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

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

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

07:30 to 20:00 Monday to Saturday

10:00 to 18:00 Sundays and Bank Holidays

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

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

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

30) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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

31) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the residential premises first commences.

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

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

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

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

33) No development shall take place unless and until a scheme for the provision of overhead line building fixings to replace the existing overhead line fixing has been submitted to, and approved in writing by Manchester City Council as Local Planning Authority.

Reason - In order to contribute toward the reduction of street clutter and improve visual amenity by reducing the number of overhead line poles directly adjacent to buildings, pursuant to Core Strategy policies DM1 and SP1.

34) No amplified sound or any music shall be produced or played in any part of the site outside of the building other than in accordance with a scheme detailing the levels at which any music shall be played and the hours during which it shall be played which has been submitted to and approved in writing by the City Council as local planning authority.

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.

35) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

36) Prior to occupation of any of the commercial units details of a signage strategy shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interests of visual amenity to enable careful attention to signage details and the level of visual clutter associated with any external seating is required to protect the character and appearance of this building in accordance with policies SP1 and DM1 of the Core Strategy.

37) In the event that any of the commercial units as indicated on drawing 1816 FCBS P0200 P2 are occupied as an A3 or A4 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

Management of patrons and control of external areas. For the avoidance of doubt this shall include:

- \*An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)

- \*Details of a Dispersal Procedure

- \* Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

38) The window(s) at ground level, fronting onto shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

39) If during works to demolish the building hereby permitted any sign of the presence of bats is found, then all such works shall cease until a survey of the site has been undertaken by a suitably qualified ecologist and the results have been submitted to and approved by the Council in writing as local planning authority. Any recommendations for the protection of bats in the submitted document shall be implemented in full and maintained at all time when the building is in use as hereby permitted.

Reason - for the protection of bats and in order to comply with the Habitats Directive and pursuant to Core Strategy Policy EN15.

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

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

41) The commercial units as shown on drawing 1816 FCBS P0200 P2 shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

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

42) The commercial units, as indicated on drawing 1816 FCBS P0200 P2 can be occupied as A1(with the exception of food retail), A3, A4 and A5. The first use of each commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

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

43) Prior to the first use of each of the commercial units as indicated on drawing 1816 FCBS P0200 P2 details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

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

**121446**

1) The permission hereby granted is for a limited period only, expiring on 28-06-2024 and the use comprising the development for which permission is hereby granted is required to be discontinued on that date.

Reason - The use hereby approved is of a temporary nature only and in order to allow the City Council the opportunity to reconsider the appropriateness of this use the consequences of which have not been considered beyond the 28th June 2024 pursuant to Core Strategy Policies SP1, CC1, CC7 and DM1.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

(a) Site Plans 816-FCBS/P/0099-P1, 1816-FCBS/P/0100-P1;

(b) Dwgs 1816-FCBS/P/0130-P1, 1816-FCBS/P/0131-P1, 1816-FCBS/P/0132-P1, 1816-1-FCBS/P/-0200-P2, 1816-1-FCBS/P/201-P2, 1816-1-FCBS/P/202-P2, 1816-FCBS/P/0700-P1, 1816-FCBS/P/0701-P1, 1816-FCBS/P/0800-P1, 1816-FCBS/P/0801-P1, 1816-FCBS/P/0802-P1, 1816-FCBS/P/0803-P1, 1816-1-FCBS-P-0200-P4 and 1816-1-FCBS-P-0200-P5.

(c) Recommendations to improve security within GMP (Design for Security) letter dated 07-09-19; and

(d) Management measures detailed within sections 5.1, 5.2, 5.3 and 5.4 of the submitted Design and Access Statement by FCB.

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to Core Strategy policies CC1, CC7, SP1, DM1 and saved UDP policies and DC26

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

- \*Display of an emergency contact number;

- \*Details of how the construction phasing will have due regard to the approved development at Red Lion Street (application ref no 113713 as amended by 119143 and 123173)

- \*Details as necessary of Wheel Washing and Dust suppression measures;

- \*Compound locations where relevant;

- \*Location, removal and recycling of waste;

- \*Routing strategy and swept path analysis;

- \*Parking of construction vehicles and staff;

- \*Sheeting over of construction vehicles;

- \*Communication strategy with residents which shall include details of how there will be engagement, consult and notify residents during the works;

- \* Details of the loading and unloading of plant and materials;

- \* Details of the storage of plant and materials used in constructing the development;



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

Reason - To safeguard the amenities of nearby residents and highway safety, and to ensure that the delivery of the adjacent development detailed above is not compromised pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

4) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

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

5) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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.

6) Final details of the method of extraction of any fumes, vapours and odours from each units shall be submitted to and approved in writing by the City Council as local planning authority prior to occupation of each use A3 /A4/A5 use. The details of the approved scheme shall be implemented prior to occupancy and shall remain in situ whilst the use or development is in operation.

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

7) Prior to occupation of each unit within the development a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a rating level of 5dB (LAeq) below the typical background (LA90) level 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 completed before the premises is occupied and a verification report submitted for approval by the City

Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme 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

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

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

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

9) The premises including the external areas shall not be open to the public outside the following hours:-

0900 to 17.00 Monday to Sunday

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policies DC26.1 and 26.5.

10) The consent hereby granted shall not allow for the use of amplified sound or any music in these external areas at any time.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policies SP1 and DM1 of the Core Strategy

11) Prior to the first use of the Markets Stalls hereby approved commencing, a scheme of highway works and details of any footpath reinstatement 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:

(a) Any necessary highway works to ensure pedestrian safety in relation to the operation of the Markets;

(b) Removal and relocation of redundant and other street clutter required for the operation of the Markets.

The approved scheme shall be implemented and be in place prior to the first occupation of the Market Stalls within the final phase of the development hereby approved.

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: 121375/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services  
Environmental Health  
Corporate Property  
MCC Flood Risk Management  
Environment & Operations (Refuse & Sustainability)  
Oliver West (Sustainable Travel)  
Strategic Development Team  
United Utilities Water PLC  
Greater Manchester Police  
Historic England (North West)  
Environment Agency  
Transport For Greater Manchester  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Greater Manchester Geological Unit  
Greater Manchester Pedestrians Society  
Manchester Markets  
Northern Quarter Development Officer  
Planning Casework Unit  
Manchester Airport Safeguarding Officer  
National Air Traffic Safety (NATS)  
Civil Aviation Authority  
Planning Casework Unit  
Corporate Property  
Environmental Health  
MCC Flood Risk Management  
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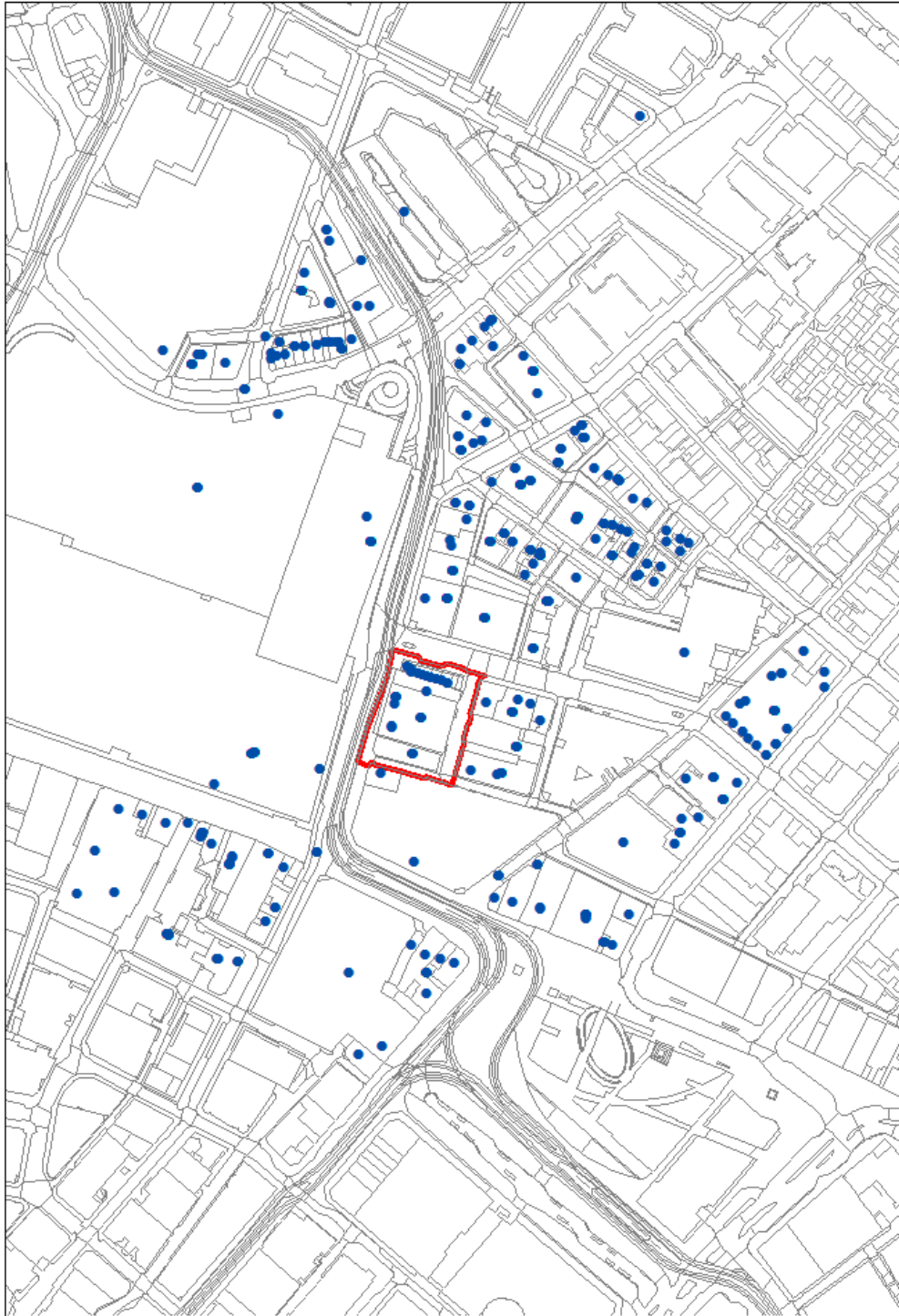
**Civil Aviation Authority  
Environment Agency  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Police  
Historic England (North West)  
Manchester Airport Safeguarding Officer  
National Air Traffic Safety (NATS)  
Transport For Greater Manchester  
United Utilities Water PLC**

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

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

<b>Relevant Contact Officer :</b>	Angela Leckie
<b>Telephone number :</b>	0161 234 4651
<b>Email :</b>	a.leckie@manchester.gov.uk

Sit121121375/FO/2018



□ Application site boundary ● Neighbour notification  
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**121447**

1) The permission hereby granted is for a limited period only, expiring on 28-06-2024 and the use comprising the development for which permission is hereby granted is required to be discontinued on that date.

Reason - The use hereby approved is of a temporary nature only and in order to allow the City Council the opportunity to reconsider the appropriateness of this use the consequences of which have not been considered beyond the 28th June 2024 pursuant to Core Strategy Policies SP1, CC1, CC7 and DM1.

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City Centre Regeneration  
United Utilities Water PLC  
Greater Manchester Police  
Transport For Greater Manchester  
Greater Manchester Archaeological Advisory Service  
Manchester Markets**

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