

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
100991/OO/2012/N2	10th May 2013	25th Jul 2013	Bradford Ward

**Proposal** OUTLINE APPLICATION for development comprising 1 no. 8 storey block and 1 no 9 storey block to form 144 residential apartments with associated access, car parking and landscaping with all matters to be considered: and OUTLINE APPLICATION for a detached building to form an A1 Retail Unit (316sqm) with all matters reserved.

**Location** Milliners Wharf Phase 2 , Munday Street, Off Pollard Street, Manchester, M4 7BD

**Applicant** Victoria Mills Developments Ltd, C/o Agent

**Agent** Miss Nikki Sills, RED Property Services, The Edge Business Centre, Clowes Street, Manchester, M3 5NA

### **Site Description**

This application relates to a site of 0.69 hectares, which is roughly triangular in shape. The site is bounded by Phase 1 of the Milliners Wharf development and the the Ashton Canal to the north, Carruthers Street to the east, Pollard Street to the south and open land around the new Metrolink line to the west in Ancoats. The line of the new Metrolink runs through the site, and splits the red edge into two separate areas. The site is close to the city centre, being approximately 350m from Great Ancoats Street. The site is also close to the new Islington Wharf developments and the New Islington Millennium Community on the opposite side of the canal. To the south on the opposite side of Pollard Street there is also a mix of former mill buildings converted into residential accommodation, new build apartment blocks and low-rise housing.

The site was formerly occupied by two mill buildings forming Victoria Mill along the edge of the canal and Carruthers Mill on Carruthers Street. There were also a number of smaller outbuildings and a large servicing area to Pollard Street. Originally built as a textile complex, the buildings had been occupied by a variety of general industrial uses. Following a fire in April 2004, the Victoria Mill was demolished, and most of the site has been cleared, leaving only Carruthers Mill. Phase 1 of the Milliners Wharf development was constructed following planning consent for a mixed use development on this cleared site. The details of this are now outlined below.

### **Application History**

Planning application 075171/FO/2005/N1 was granted approval on the 7<sup>th</sup> August 2006 for a mixed use development comprising three buildings, one nine storey block, one seven storey block and one 22 storey block to provide 420 apartments, 1808sqm office space and 585sqm retail space, 235 car parking spaces and associated landscaping works after demolition of existing buildings at the above site. The attached conditions were formally discharged and the development commenced through the construction of Phase 1, which is the nine storey block containing 261 residential apartments and 160 car parking spaces located immediately adjacent to

the canal. However, due to the significant impacts of the economic downturn on the development sector, work on site stopped and Phase 2 of the development was not completed. Phase 1 was fully completed and is now occupied.

Through the construction of Phase 1 of the development, this implemented planning approval 075171/FO/2005/N2 within the five years prescribed by condition 1 of the consent. Therefore, this remains an extant planning approval that can be implemented and constructed at any time in the future.

### **Current Proposals**

Since the above approval in 2006 and the completion of Phase 1 of the development, it has been determined by the current economic climate that the previous scheme for Phase 2 of the site is no longer commercially viable to build and required significant changes. Therefore, planning consent is now sought for a new proposal for Phase 2 of the development through the creation of two blocks of residential accommodation with a detached retail unit on the piece of land across the Metrolink line on Pollard Street. The application is split into two parts; for outline consent with all matters being considered for the residential elements of the scheme, and outline consent with all matters reserved for the detached retail unit.

More specifically, it is proposed to erect an eight storey block and a nine storey block along the southern boundary of the site alongside the Metrolink line. These blocks will contain 144 one, two and three bedroom apartments, with 48 of these being in Block A (eight storeys) and 96 being in Block B (nine storeys). The ground floor of both blocks will comprise of undercroft car parking, in addition to the surface car parking that will be provided surrounding the blocks, making a total of 139 car parking spaces for the 144 new apartments. There is also a large cycle store being provided within the car parking area, along with the circulation cores, bin stores and plant rooms on the ground floor of the two blocks.

For the use of both Phase 1 and Phase 2 residents, it is proposed to install a 'sky garden' between the existing and proposed blocks of accommodation as a podium above some of the car parking areas. This sky garden will be attached to Block B of the new development, however the main access to this area would be from the main car parking area. Where the podium meets the first floor of Block B, private gardens will be provided for the apartments adjoining this area. The rest of the area would then be communal space for all residents.

The site would then be surrounded by new quality boundary treatments, including a high quality treatment to the Metrolink line comprising a mix of green screen, brick wall and timber slats. A further outdoor amenity space area would then be created on the land between the new blocks and the boundary line with the Metrolink with a mix of seating and grassed/landscaped areas. The car parking areas surrounding the blocks will also be broken up by tree and shrub planting. The area between the two new Blocks A and B will include a communal courtyard area with further seating and circulation space immediately adjacent to the main entrances into the two blocks to create a central community feel.

The site will be accessed from the existing access road off Munday Street. This access point is already being used by the occupiers of Phase 1 and provides vehicular and pedestrian access to the blocks and car parking areas.

The proposed retail unit would be located on a piece of land separate to the main application site to the south of the Metrolink line. As this element of the scheme is being applied for under outline consent with all matters reserved, the only information provided at this stage are some parameters for this development. The following outline parameters are proposed: a maximum of 7 metres in height in a single storey building, a maximum floor area of 355m<sup>2</sup> in gross external space and a maximum of 9 car parking spaces.

## **Consultations**

### **Advertisement**

The application has been advertised through the display of site notices around the site (29<sup>th</sup> November 2012 and 5<sup>th</sup> June 2013) and in the press (27<sup>th</sup> November 2012 and 28<sup>th</sup> May 2013) as being a Major Development.

### **Local Residents / Businesses**

Following receipt of the original application submitted to the Local Planning Authority in November 2012, 13 letters/emails of objection were received against the proposals, along with an online petition containing 80 signatures. The comments made are as follows:

- 1) Significantly impact on the quality of life of residents in Phase 1. No thought whatsoever given to existing residents. This will plunge residents into months and years of building work merely metres away, and robs them of their view. Concerns over the proximity of the proposed blocks with regards to privacy, reduction of daylight and wind flow issues.
- 2) Object to the size of this proposed 8 storey development, its just too big. It will block light and obstruct the view. It is too large for the intended area. The new blocks are far too close to the existing one and only 10-15metres away from the tram line.
- 3) Manchester does not lack vacant space for development and a building of this size could be sited elsewhere.
- 4) If the new development was scaled back and a modest development was proposed, this would be more positively received. Not opposed to a much smaller scale development. Think a 5 story building and a 4 story building would be better and could look really good, maybe with a huge communal garden on top of one of those buildings all residents of all buildings could use to make up for losing light would be a great idea.
- 5) Drastically bump up the energy bills of properties in Phase 1 and reduce the property values and selling prices. Would feel forced to move if this development is approved. Could not justify spending the money on rent as this building would mean a loss of light and privacy.

- 6) The proposed development is particularly ill-considered and if goes ahead will mean a lot more congestion, crowd and noise to this area which is already accommodating a great number of businesses and residential apartments provided by Chips, Milliners Wharf, ibis Hotel and others.
- 7) Will completely block out the sun throughout Autumn to Spring for the majority of the day, casting Phase 1 into darkness and the cold, negating all the south facing balconies. Phase 2 should be lower to ensure there is no obstruction to natural light. Believed that the developer is / has tried to mis-lead the current residents as to the impact of their proposal in so far as, sunshine graphs presented at the height of the summer period (21<sup>st</sup> June) when the sun is at its highest point in the sky and shines for the longest period. In addition, the CGIs presented only show the front of the proposed new scheme, which faces the tram track, not the other side which shows its proximity to the existing building.
- 8) Was not informed about another 8 storey building was to be constructed here when purchasing the property. When I bought the flat in Milliners Wharf the market team told me something completely different, if I knew there will be these two 8 story phase 2 buildings when I buy this flat. It will completely mark down the value of phase 1 and it is too unfair to the current owners. The sales office for the scheme pointed to the land opposite being for "landscaping or car parking" on selling the property – clearly a blatant lie. Finally on this point, the proposal has not shown up on any local searches for anyone who has purchased an apartment in the existing phase.
- 9) Having lived in the phase one block and witnessed first hand the poor construction and lack of empathy for the residents that live there, think it would be immorally wrong to construct another.
- 10) The new buildings should match the current design of Phase 1, as red brick is not in keeping with Phase 1.
- 11) Ancoats, Pollard Street and the surrounding area is already too built up with new apartment blocks like these that do not blend well and are juxtapositioned with the rest of the community. The heritage of the area is being destroyed as more of the neighbourhood is overlooked and pushed out.
- 12) This development will overlook a primary school in addition to the residents of Phase 1.
- 13) It seems rather pointless with many unsold apartments in the existing development. There is obviously no need to build even more. This is just going to be more empty buildings in the middle of a financial crisis. There are too many unfinished projects in Manchester and one more building site and eyesore is not needed.
- 14) It also appears that the new buildings will share the access, concierge, parking facilities and services with the current building. This will result in increased traffic, increased noise and a possible reduction in the quality of services. The reduction in

quality of life at Milliners Wharf will be marked. The proposed plans seem to indicate the removal of the pedestrian footpath used by phase one residents and this to be replaced by car parking spaces for the new building. Phase 1 residents would then have to walk in the roadway. It is important that the footpath remains. The footpath is used all the time and would make it totally unsafe for residents if removed especially with increased volumes of traffic

15) Wonder if metrolink has been consulted on the proposal given its proximity to the "live" tram wires / overheads? Given access to the site by car and foot is across metro lines, due to operate every 6 minutes, I believe this to be a major H&S risk as the flow of traffic across the line will be double than it currently is.

16) There are enough apartments in the area and not enough amenities. They should consider building more houses in the area to diversify the types of residents in the area.

17) Impact of the sky garden on existing residents. Needs to be some sort of provision to ensure it does not become a place for late night parties given the new building will create a sound tunnel. Can the garden be locked and secured each night by the concierge?

18) Assume that the new and old development will use the same pedestrian gate. This gate is very noisy and will become noisier with double the pedestrian traffic.

19) Currently Pollard St has an ongoing roadwork issue where the developers for the new Metrolink severed the sewer line. It is the understanding that repairs are not scheduled until next year. With 2 sections of the road reduced to one lane and late night street parking the road can sometimes be fairly impassable where the road becomes a bottleneck. This should be resolved before construction starts.

Following the submission of the amended scheme in May 2013, 10 further letters/emails have been received and 45 signatures on the online petition. The comments made can be summarised as follows:

1) Would totally block the light to Phase 1 and is too close to the tram lines for safety issues.

2) Really frustrated at the possibility of losing views and daylight from a building opposite that will be even taller than phase 1. Also concerned about the increase in traffic and lack of pedestrian areas, alongside the loss of visual amenity. Find it a very impractical design for the current south-facing apartments in phase 1, and the planned north-facing apartments in phase 2, which must cancel out any real benefits to building such apartments.

3) Whilst removal of the L shaped design is welcomed it is totally unacceptable for the height to be increased further for one of the blocks. The height of phase two needs to be reduced to absolutely no higher than the original and approved plans of 6 floors and certainly no higher. Think the single main objection from the majority of residents is the height. Most residents spoke to favour the original plans of a 20 story

tower block in the far corner of the development . Its very important the overall height of the blocks is reduced.

4) Similar to the previous plans, the most recent planning application proves an issue for current residents with regards to: loss of visual amenity, increased levels of activity; appearance of the buildings and garden/decking area; access to parking; increased noise; increased traffic with insufficient pedestrian areas; and overlooking for all south-facing apartments in core 2 and core 3 and some of core 1.

5) The new plans do not provide a sufficient pedestrian walking area in what will be a very busy car park. The site cannot support the number of flats proposed using only one entrance and no footpath in the car park. Also, it is clear that the developers have not considered the impact of extra cars parked in the area, extra feet on the ground, especially on matchdays when Pollard St comes to a virtual standstill already.

6) Phase 1 is about half full at the minute. We have a massive problem in that there isn't a single visitors parking space which can be controlled by concierge. When people move in they have to park on double yellow lines blocking other people in. The problem will be compounded with phase 2 it is essential there are some visitor spaces for contractors, people moving in etc which concierge can control. Reducing height of the buildings well mean less requirements for phase 2 spaces some spare for visitors and allow for more pedestrian areas.

7) The concierge building needs to be upgraded. It's only big enough really for one person at a time. more staff will be needed. Where will all parcels and post be stored its full now with phase 1 50% full???. When visitors arrive they will be queued up back onto the tram line. The current main gate isn't fit for purpose now with 50% occupancy. It breaks down every week now. A much more robust electronic gate needs to be installed

8) Pollard Street is bad enough with traffic and footfall as it is (especially on matchdays being so close to Manchester City's grounds). Don't feel the area could adequately cope with two extra large buildings - increasing all kinds of traffic. There's enough cars coming in and out of the development as things stand, without building two extra buildings. Outside of the development, there's virtually no car parking spaces most of the time on nearby bays or on road, simply because there's so few spaces and lots of residents in the area. Building two extra buildings is only going to aggravate the parking situation - both inside and outside the development. Also concerned that pedestrians/residents will all be using one entrance to gain access to the building. The gates will be extremely busy at all times - contributing to noise pollution, and making the entrance so busy and also dangerous - Notice the proposals seem to have built over the pedestrian pavement which currently exists. Will residents be expected just to walk down the main road inside the development, with all the cars and traffic? This seems very dangerous.

9) The proposed buildings will completely block the south-facing views; they will also block the sun throughout autumn to spring for the majority of the day, casting Milliners Wharf Phase 1 residents into darkness and the cold, negating all south-facing balconies, impacting on quality of life, and increasing energy bills.

10) Concerned that the proposed buildings are designed only to maximise occupancy while the quality of life for existing residents is negated.

11) The new buildings will not even blend with the current phase 1, let alone the rest of the area. Work in the local community and know other residents of Ancoats, who are already disgusted by phase 1, feel that the area is being brought down by huge apartment buildings are growing next to their homes, and that contribute little to the community. This site needs to be developed with the wider area in mind, not just for maximum occupancy. The planners need to consider the impact on the Ward of yet another large apartment building being crammed in. Also, it is clear that the developers have not considered the impact of extra cars parked in the area, extra feet on the ground, especially on matchdays when Pollard St comes to a virtual standstill already.

12) Own a first floor apartment with a terrace and this outdoor space will almost be totally redundant for me should the 9 storey and 8 storey proposals be built within such close proximity. They would tower and dwarf our building, totally obstructing any view and any sunlight for many homeowners. The large outdoor space and suntrap (a big selling point of the flat initially) would be ruined and would definitely sell up and move elsewhere. Was actually told at the time of purchase that the space opposite was indeed vacant but "most probably due for landscaping and gardens". Building such large developments opposite Phase 1 of Milliners Wharf will simply drive many rentals and homeowners out of the development.

13) The original flats will be overlooked and strongly object to the communal garden space - again which directly overlooks some flats. In city centre apartment blocks, there's obviously parties each weekend from certain residents, lots of noise, and obviously you would not want this going on in a large open communal garden space which directly overlooks your flat. Building this seems to simply encourage noise and anti-social behaviour, right outside other people's flats.

14) Ineffective consultation. The developer has already admitted a lack of prior consultation in an invitation to a meeting to view the latest plans at the premises of AWOL Studios Ltd on 7 May 2013. At that meeting the architect expressed an unwillingness to provide detailed information on light reduction as perceived from south facing flat windows even though he has the ability to do this easily. He did so on the ground that residents could use this information to "object". He clearly knows that the direct light reduction would be significant and fears the consequences of providing hard evidence related directly to individuals' living conditions. Also at that meeting other configurations were discussed for Buildings A and B. These would have mitigated some of the effects highlighted above. None of these configurations have materialised, and what has materialised is even worse in its effects than that which existed prior to this attempted consultation. There was no point in holding such a consultation exercise if everything which was discussed was to be ignored.

15) Personally am already looking to sell my apartment due to the negative impact this new planning application will have on the existing complex.

16) Work as a local estate agent and it is believed that these new blocks would have a detrimental effect on the value of the apartments in the current block, causing them to lose, in some cases, as much as 40% of their current value.

17) The design of the revised building has once again been altered, accommodating some objections regarding the "L" shaped returns being too close to the existing building. This has however resulted in another floor being added, in order to make the block "economically viable". Cannot stress how upsetting this is for those with a view of the new block, now overlooked by another floor (two more than the original application), with additional consequent loss of privacy, sunlight and aspect.

18) The existence of two high blocks within such close proximity will exacerbate an existing problem with prevailing winds. Currently, on windy days a strong, sustained wind blows along the southern side of the block. It is believed that a second block will exacerbate this effect, funnelling the gusts to the extent that balcony areas will be unusable. Corollary to this is the planned "open garden", which is likely to receive little sunlight and bear the brunt of such winds.

19) The appearance of the revised building is still not in keeping with the existing scheme - in fact, the addition of the "matching" zinc panels seems little more than a fillip to those who have questioned the materials and colouring used in the Phase 2 design.

20) If the applicant believes that the viability of the second phase hangs so crucially on a certain number of apartments being built, would suggest that this places severe constraints on the scheme budget, contingency, final quality and perhaps indeed chance of completion. The original developers of Phase 1 were victims of an overstretched budget and lack of demand. There are currently around 110 unsold apartments in Phase 1, and it is understood that there are a large number of unsold apartment options in the local area. Why then the need for another apartment block, comprising a majority of two-bed apartments, when so much similar stock exists in the area?

21) With the aim of the local area being to attract and retain families - the nursery and new school being clear examples of this strategy - would not a more conventional housing development be more appropriate? Clearly the next phase of Islington Wharf has taken this on board. Growing families need more space than relatively small apartments can provide. An attractive, low-rise development would provide the space that will keep people in the area as their families grow, and can be valued accordingly.

22) In favour of the site being developed, and the revised submission is preferable to the originally proposed scheme from November. However, the proposed blocks are too high and are excessively imposing on Phase 1. The blocks are too close to Phase 1 and are especially pronounced given their height.

23) Preference would be to see the building sizes capped at 5 - 6 floors, with a "living" roof of greenery as seen on some other developments.

24) The plans propose removing the pedestrian access to the existing 'Phase 1' Block, with pedestrians being expected to use the vehicular access gates and roadway. This is not safe.

25) The proposals do not appear to reflect that the area is actually lacking private housing, rather than flats.

26) Another negative point is a decline to the standard of current buildings. At present New Islington looks good with the current structures in place, however having another tall building in such close proximity (especially at the entrance to Milliners Wharf) will bring down the quality of the area as the building does not fit in with the current design of existing buildings nearby. The outdoor decking used for the communal space also weathers quickly over time as can be seen in the Advent complex over the road.

#### Ward Members

Formally object to the Milliners Wharf Phase 2 planning application. Following several meetings with residents in the area it is quite clear that the application being submitted will lead to a loss of visual amenity, considerable loss of light for many residents and overlooking for all south-facing apartments in core 2 and core 3 and some of core 1. Residents feel that the new plans do not provide a sufficient pedestrian walking area in what will be a very busy car park, that the proposed buildings will completely block the south-facing views. They are also concerned that the towers will block the sun throughout autumn to spring for the majority of the day, casting Milliners Wharf Phase 1 into darkness and the cold, negating all the south-facing balconies, impacting on quality of life, and increasing energy bills.

#### Highway Services

Comments received in relation to the original proposal stated that it is recognised that the proposal is phase 2 of a previously approved scheme (075171/FO/2005/N2) and that the development mix has been altered as highlighted in the Planning Statement. There are a number of discrepancies in the Transport Statement (dated September 2012) relating to the development proposals and the development mix. It has been assumed that the latest information contained within the application form and the planning statement is valid. B1 Office has been removed and there is a reduction of the retail floorspace to 316sqm convenience store, which was reviewed in the TS. Viewing this in a transport context, the overall change in traffic generation and associated impacts will be small, indeed there is likely to be a net reduction in trips. An attempt to quantify the trip generation impact of the removal of the B1 use has been provided within the TS and is a reasonable proxy for the latest development mix. Increased parking spaces will discourage on-street parking and may be ample enough to provide some space for visitors.

The site access is already in place with TROs installed for the metrolink on Munday Street. Footway on Munday Street adjacent to the convenience store needs to be a minimum of 2m width. Dropped kerbs for access to the convenience store car park will need to be installed in conjunction with Contact Manchester. Sustainable transport in the vicinity is very good with the new Pollard Street metrolink stop a short distance away. Connections to the National Cycle Network would also help to identify possible cycle routes to key destinations.

Following the submission of the amended proposals, further comments were received that state that the revised plans and the addendum D&A Statement have been reviewed and there are no further significant observations to make. The car parking numbers are retained as per the previous numbers, which remains acceptable. The amendments to the site plans are unlikely to materially effect accessibility for both pedestrians/cyclists and vehicles. Cycle parking is acceptable, connections to national routes would be a benefit, though the proximity to the metrolink is a major plus from a sustainability perspective. It is noted that the retail development features are only listed and do not have detailed plans.

#### Environmental Health

No objections to the proposals subject to the inclusion of certain conditions, including hours of deliveries/servicing, the operational hours of the retail unit, the acoustic insulation of the residential accommodation, the acoustic insulation of any externally mounted equipment, a waste management strategy, and wheel washing facilities.

#### Contaminated Land Section

Historical records show that there is the possibility of contamination on this site and therefore a relevant condition will be required for inclusion in any approval. The desk top study submitted with the application is considered to be acceptable, however an adequate site investigation, final risk assessment, proposed remediation strategy and final verification report will be required through a condition.

#### East Manchester Regeneration

There are no objections to the principle of a residential development in this location based on the previous approval granted under 075171/FO/2005/N1. The main concern for Regeneration is a question about the market for the residential units proposed, with quite a number in Phase 1 remaining unsold.

#### Environment Agency

No objections to the proposals subject to conditions being included in any approval relating to contaminated land and the risk to ground waters.

#### Transport For Greater Manchester

TfGM support the scheme and have no objections in principle, however it is very important for the developer to liaise with TfGM throughout the development and implementation of the scheme. Therefore, certain conditions are suggested to resolve issues relating to the construction management plan and method statements to ensure safe methods of working are adopted to meet the safety requirements of working adjacent to the Metrolink line and to ensure that any potential impact on Metrolink operations are eliminated.

#### Greater Manchester Police

It can be confirmed that GMP prepared a Crime Impact Statement which accompanies this application, that identified no major issues with the proposals. GMP therefore have no problem with this application, but would strongly advise that the development is required to achieve SBD certification by way of planning condition. Much information necessary to achieve this is contained in section 6 of the CIS, however the applicant should submit an SBD application as soon as possible

following planning approval to ensure they are in possession of the exact requirements.

#### Greater Manchester Archaeological Advisory Service

The application has been submitted with a Design and Access Statement and a geo-technical environmental impact report. However, these reports do not appear to address the impact of the proposals upon any heritage assets or their significance. A rapid review of the information on the HER indicates that the site has gone through a series of developments in the last 200 years. Most notably, by the time of the 1844-49 mapping the area of the site had worker's housing including terraced properties of varied sizes amongst which were back-to-backs. There was also Manor Wharf, a side-branch of the Ashton Canal and part of the Pollard Street Iron Works. By 1892 a cotton mill had developed fronting Carruthers Street. The 1922-29 mapping shows that much of the earlier, smaller housing including the back-to-backs had been demolished. Therefore, GMAAS is of the opinion that an archeological desk-based assessment and significance statement of the archaeological interest has yet to be provided. Furthermore, GMAAS advises Manchester LPA that such an assessment can only be provided in this instance through a programme of targeted field evaluation. Therefore, GMAAS advises that before the application is determined the applicant should arrange for a detailed desk-based assessment and programme of evaluation to be undertaken and the results used to inform a significance assessment. Alternatively, a thorough programme of archaeological work could be conditioned upon the consent. The proposed archaeological works should be funded by the applicant and undertaken by a suitably qualified and experienced archaeological contractor. The appointed contractor should, in advance of commencing, develop a written scheme of investigation for agreement with GMAAS as Manchester LPA's advisors on the archaeological interest.

#### Greater Manchester Ecology Unit

The information submitted with the application includes a brief ecology assessment of the site. Based on the findings of this assessment, GMEU would recommend that conditions relating to a pre-commencement site survey for breeding birds and details of ecological enhancements be attached to any permission, if granted. These recommendations are in line with the requirements of Section 11 of the Nation Planning Policy Framework.

#### United Utilities

United Utilities have no objection to the proposed development providing specific conditions are included in any planning permission granted. These conditions relate to the drainage of surface water.

### **Policy Context**

#### National Planning Policy Framework (March 2012)

The National Planning Policy Framework document sets out the Government's planning policies for England and how these are expected to be applied. The main aims of the document are to outline that the purpose of the planning system is to contribute to the achievement of sustainable development.

It explains that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and
- an environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 14 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or Specific policies in this Framework indicate development should be restricted.

Core planning principles in the Framework - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. In this case specific weight is given to the need to:

- i. Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- ii. Secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- iii. Take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
- iv. Support the transition to a low carbon future in a changing climate, taking full account of flood risk and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources, including renewable energy; Contribute to conserving and enhancing the natural environment and reducing pollution;
- v. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

- vi. Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions;
- vii. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- viii. Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

In relation to the regeneration of this site, it seeks positive improvements in the quality of the built, natural and historic environment as well as improving people's quality of life by:

Chapter 6: Delivering a wide choice of high quality homes - Refers to the delivery of policies that will result in significant increases to the supply of housing. Policy 6 specifically states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should, subject to a range of specified criteria, seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Chapter 7: Requiring good design - Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Chapter 10: Meeting the challenge of climate change and flooding – Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. To support the move to a low carbon future, local planning authorities should: plan for new development in locations and ways which reduce greenhouse gas emissions; actively support energy efficiency improvements to existing buildings; and when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.

Chapter 11: Conserving and enhancing the natural environment - Refers to the delivery of policies to minimise pollution and other adverse effects on the local and natural environment; and encourage the effective use of land by re-using land that has been previously developed (brownfield land) provided that it is not of high environmental value .

National Policy Framework has been related to the proposed development, with particular emphasis given to the outlined policies, and these issues have been considered with reference to the core strategy policies as set out in the report.

Manchester Core Strategy 2012 – 2027 (adopted July 2012)

The Manchester Core Strategy 2012 - 2027 forms the key Development Plan Document (DPD) in Manchester City Council's Local Development Framework (LDF) and sets out long term strategic policies for Manchester's future development. The Core Strategy identifies five regeneration areas that, along with the city centre, cover the entire city. Each area has different issues, challenges and opportunities.

The application site is located within the 'East Manchester Regeneration Area'. The Core Strategy notes that

Specific Core Strategy policies that support the regeneration of the application site are as follows:

SP1 'Spatial Principles' - Policy SP1 advises that the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas. Policy SP1 states under Core Development Principles, that Development in all parts of the City should:-

- \* Make a positive contribution to neighbourhoods of choice including:-
  - creating well designed places that enhance or create character;
  - making a positive contribution to the health, safety and wellbeing of residents;
  - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
  - protect and enhance the built and natural environment.
  
- \* Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible; and
  
- \* Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

EC5 'East Manchester' – East Manchester is expected to provide approximately 80-85ha of employment land. The majority of this provision will be within the Regional Centre, specifically the City Centre Fringe along Great Ancoats Street, providing an extension to City Centre employment opportunities. The Council will promote development which: ensures major employment opportunities are connected via non-car modes to residential neighbourhoods within East Manchester and North Manchester, these include the City Centre, Central Park, Eastlands and railway stations in the City Centre; takes advantage of key transport infrastructure such as the arterial roads and public transport networks, such as bus routes and the proposed extension to Metrolink including two new lines and and new stops; creates links to the Rochdale and Ashton Canals and links to the open space network including the Rochdale and Ashton Canals and the Medlock Valley, providing

opportunities for walking and cycling to economic development opportunities; has regard to listed buildings and conservation areas including Ancoats and the industrial heritage of the area.

H1 'Overall Housing Provision' - Policy H1 prioritises residential development on previously developed land, in particular through the re-use of vacant housing or other existing buildings.

H2 'Strategic Housing Location' - The key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.
- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.
- Considering the scope to include a residential element as part of employment-led development.
- Proposals will be expected to show how they contribute to decentralised low and zero carbon energy infrastructure as set out in the energy policies (EN4 - EN7).

H4 'East Manchester' - It states that East Manchester, over the lifetime of the plan, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. It re-iterates that high density housing will be permitted within the parts of East Manchester that fall within the Regional Centre.

C9 'Out-of-Centre Development' - Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria: there are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable; the proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and, the proposal is appropriate in terms of its scale and function to its location. Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

T2 'Accessible Areas of Opportunity and Need' - The Council will actively manage the pattern of development to ensure that new development: -

\*Is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections,

\* Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites including:-

- Links between North Manchester residents and key employment locations, including the City Centre, Central Park, Salford Quays and Chadderton Industrial Estate and Trafford Park.
- Links within East Manchester to employment locations, Central Park and Eastlands in particular.
- Links within Central Area between residents and employment, the Corridor in particular and east/west connectivity for residents in Central Area to employment areas in Trafford and East Manchester.
- Maintaining strong links between residential areas in the South and the Regional Centre and improving connectivity with the Airport.
- Ensuring good links between Wythenshawe residents and the Airport and further employment opportunities in Stockport, Trafford and the Regional Centre.

\* Within the City Centre, provides a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities, taking account of the guidance in appendix B, which reflects policy in the Regional Strategy (RS). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B. If the RS is revoked the Council will continue to use these standards when applying this policy. Standards are set for two different area types:

- District Centres
- Areas not within the City Centre or District Centres

The car parking standards are maximums and the cycle and disabled car parking standards are minimums. However the Council will take the circumstances of each proposal into account to establish what level of parking is appropriate.

Includes proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

EN1 'Design Principles and Strategic Character Areas' - All development in Manchester will be expected to follow the seven principles of urban design listed below and have regard to the strategic character area in which the development is located:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas

- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Design and Access Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives.

EN6 'Target Framework for CO2 reductions from low or zero carbon energy supplies' - Applications for residential development of 10 or more units and all other development over 1,000 sq m will be expected as a minimum to meet the target shown in Tables 12.1 or 12.2, unless this can be shown not to be viable. This should be demonstrated through an energy statement, submitted as part of the Design and Access Statement. Such a statement will be expected to set out the projected regulated energy demand and associated CO2 emissions for all phases of the development. Developments smaller than the above threshold, but involving the erection of a building or substantial improvement to an existing building will also be expected to meet the minimum target, where viable, but will not be expected to submit an energy statement. The target framework relates to three broad development locations and their potential for low and zero carbon, decentralised energy. The areas are defined as follows:

- Target 1 Network development areas: Locations where the proximity of new and existing buildings, the mix of uses and density of development provide the right conditions to support district heating (and cooling).
- Target 2 Electricity intense areas: Locations where the predominant building type has an all electric fit-out such as retail units and leisure complexes.
- Target 3 Micro-generation areas: Locations where lower densities and a fragmented mix of uses tend to mean that only building scale solutions are practical.

EN14 'Flood Risk' - In line with the risk-based sequential approach contained within the National Planning Policy Framework, development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA). In addition to the requirements for site-specific Flood Risk Assessments (FRAs) set out in PPS25, an appropriate FRA will also be required for all development proposals, including changes of use, on sites greater than 0.5ha within Critical Drainage Areas (CDAs) and Canal Hazard Zones identified in the SFRA. All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide. In CDAs, evidence to justify the surface water run-off approach / rates will be required. The City of Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required and the development proposal should take this into

account; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse, taking advantage of opportunities to enhance biodiversity and Green Infrastructure. This issue is dealt with in greater detail elsewhere in this report.

EN18 'Contaminated Land and Ground Stability' - The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment. All new development within former mining areas shall undertake an assessment of any associated risk to the proposed development and, if necessary, incorporate appropriate mitigation measures to address them.

DM1 'Development Management' - Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Developers will be required to demonstrate that new development incorporates sustainable construction techniques.

The detailed assessment of the scheme contained within the following issues section of this report will outline that it is considered the proposal accords with all of the Core Strategy policies listed above.

#### Saved Policies within the Unitary Development Plan for the City of Manchester (1995)

The UDP is contained within the City Council's Local Development Scheme as a 'saved' document. There are a number of city wide development control policies, including ones concerning accessibility, housing and commercial development that are of relevance to this proposal, including the following:

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

DC20 'Archaeology' - The Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. In particular:

- a. Applications for consent to alter scheduled Ancient Monuments or sites of archaeological interest or their settings should be accompanied by an evaluation and assessment of the implications of the proposal.
- b. The Council will have special regard to the desirability of securing the preservation of Ancient Monuments and other sites of archaeological interest and their setting in place. It will not permit development that, in its opinion, would adversely affect scheduled Ancient Monuments, or other sites of archaeological interests, and their settings, In exceptional cases where development is inevitable, the Council will look at the scope for combining preservation in place with limited investigation and recording.
- c. Where the preservation of scheduled Ancient Monuments and sites of archaeological interest in place is not appropriate, the Council will seek to gain full and proper recording of the site through early consultation between the applicant and approved archaeological organisation.

DC26 'Development and Noise' - The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

As with the Core Strategy policies above, the detailed assessment of the scheme contained within the following issues section of this report will outline that it is considered the proposal accords with all of the saved UDP policies listed above.

#### Guide to Development in Manchester SPD and Planning Guidance (2007)

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant to the redevelopment of this site. In the City of Manchester, it is the relevant design tool and it outlines the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. It provides a framework for all

development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces, the retention of strong building lines, appropriate elevational detailing and strong design particularly to corner plots. The redevelopment of this site has been designed in accordance with the guidance outlined within this document to create a new and sustainable sense of place.

### East Manchester Strategic Regeneration Framework 2008-2018

The application site lies within East Manchester and falls within the remit of the East Manchester Strategic Regeneration Framework. This provides a physical development framework to guide the future regeneration of the area. At the heart of the latest strategy is the attraction of working households and families into East Manchester. This requires developments to provide a safe and secure environment, signature design of buildings and places, and an environment that residents can enjoy. Increasing the population, through retaining existing and attracting new residents, is one of the three main challenges now facing East Manchester.

In terms of Neighbourhoods and Places within the wider East Manchester Area the Frameworks ambition is to:

- Increase the population of East Manchester through the attraction of and retention of working households and in particular those working households with children;
- Offer residents a range of attractive housing choice that are of comparable quality to what is available elsewhere in the region;
- Establish a series of neighbourhoods each with a high-quality environment served by vibrant retail centres which act as community hubs; and
- Provide safe, secure and well managed neighbourhoods where people choose to live.

### **Issues**

#### Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The applicant did seek pre-application advice from the City Council prior to the submission of this planning application and some elements of the advice given at this stage were incorporated into the design of the submission. The original submission raised initial concerns about the height, scale, design and materials of the buildings, the provision of amenity space and the relationship of the development to the wider neighbourhood. Officers worked in a positive and proactive manner with the applicant to negotiate a revised scheme to create a more appropriate shape and positioning of the buildings, better elevational treatment through design and materials and the creation of a larger outdoor amenity space for residents. Therefore, the scheme is now acceptable and in accordance with the Development Plan.

#### Environmental Impact Assessment

This planning application has been subject to a Screening Opinion for an Environmental Assessment. The Screening Opinion considers that given the previously developed nature of the site, and the replacement with residential uses,

together with the fact that the applicant has submitted a desk top study of the contaminated land and landfill gas in the area, an ecological study, a flood risk assessment, a Noise Assessment, a Sustainability Statement and a traffic impact assessment, together with a design and access statement and planning statement, the application can be properly considered during the planning application process and the proposals would not have an undue impact on the residential amenities of adjoining occupiers. In the light of guidance contained within Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 and within Circular 2/99, it is therefore considered that an Environmental Assessment is not required in this instance.

### Principle

The principle of a residential and retail development of a certain size and height at the application site has already been established through the previous planning approval 075171/FO/2005/N2 granted in 2006. However, the type of accommodation proposed, the design and use of appropriate materials and the scale and massing of the proposals and the potential impact on residential amenity and highway/pedestrian safety must now be assessed.

### Accommodation Type

Concerns have been raised about this proposal in relation to the provision of more apartment accommodation in this location when sales within Phase 1 of the Milliners Wharf development have not been too successful. It has been confirmed by the applicant that even though only approx 150 units of the 261 total in the existing block have been sold, 226 of 261 units are now sold or rented, which is an 87% occupation. This reinforces the efforts of the developer to provide further investment at this site and shows that the applicant would only commit to a further development scheme here if there is considered to be a reasonable prospect of success through sales and rented accommodation.

Out of the 144 apartments proposed in this proposal, the highest proportion of the accommodation is larger properties that will attract a range of different people. Only 17% of the proposed accommodation would be 1 bed units, with 60% two bedroom units, 18% three bedroom units and 5% two bedroom duplex units. Therefore, this is likely to attract people that wish to stay here and bring up families in the interests of creating good quality sustainable communities. It will also create vital new homes for people who work in the City Centre and can travel to and from work by sustainable methods.

On 26<sup>th</sup> June 2013, a report was presented to the Manchester City Council Executive Committee in relation to the creation of a draft residential growth prospectus to encourage and guide the delivery of new housing across the city. The document aims to set out how housing growth can be accelerated at the same time as delivering attractive and successful neighbourhoods where increasing numbers of people will choose to live, close to employment opportunities and all the other attractions of a successful and growing city. Population and household forecasts suggest that by 2031, there will be a need for around 168,000 new households across Greater Manchester. This will place a significant demand on housing supply. At current build rates however, there is a risk that there will not be enough homes

provided in the places where people want to live and this will act as a constraint on Manchester's ability to grow and sustain a strong labour market.

One of the key principles that inform this document is developing a quality private rented sector, through good quality, well managed accommodation to rent that will make an important contribution to the city's housing. This would account for over half of all economically active households in the city centre and fringe. Sustainable neighbourhoods require much more than new housing development. Manchester's objective is to ensure the right mix of facilities and good management that creates more high quality neighbourhoods of choice.

Completed analysis shows that there is strong and enduring demand for new homes in the city. Household projections continue to indicate the need for a strong supply of new houses. While the pace of house sales has fallen since the banking crisis and economic slow down, the demand for rented accommodation has remained very strong, particularly in the city centre, its fringe and other key markets. The portfolio of sites across the city means that a mix of housing types will be delivered including accommodation for working families, and apartments built in sustainable locations close to jobs. This mix is vital if we are to create the flexible and sustainable labour market required to fuel the future economy of the City.

The delivery of the higher density development that Manchester requires to meet these growth needs is particularly important. There is a major opportunity to deliver high and medium density rented accommodation for long-term tenants in high specification units in areas of the north and east city fringe. The character of the City's residential pipeline lends itself to the delivery of a new quality private rented sector (PRS) in the city centre and fringe. In the Ancoats area, population growth has driven the expansion of the private rented sector (economically active households choosing to live close to jobs) which in turn has transformed the demographic make up of the area into a vibrant, in demand neighbourhood which commands some of the highest rents in Greater Manchester. Within this context and working with partners, the City is keen to attract major investors, prioritise site release and where possible help secure sites already assembled, target financial products to enable home ownership, assist marketing and deliver a pipeline of priority locations for housing development. A key example of this is the Ancoats and New Islington area. This is an established city living neighbourhood with major scope for expansion, primarily with apartments for rent. The range of sites has the potential to include units targeted at the cheaper, middle and premium ends of the market. This is critical to the efficient functioning of the labour market to ensure that new build units are accessible to all income bands in the City.

Therefore, it is considered that this proposed development fits into this vision for a City Centre fringe neighbourhood and will create an acceptable mix of good quality accommodation in a sustainable location. It should also be noted that a condition has been included in the list below that will restrict the use of this accommodation for serviced apartments, which may have lead to issues of disturbance and an unacceptable impact on the residential amenity of the longer term occupants of this and the existing Phase 1 development.

### Design and Appearance

As outlined within the Design and Access Statement, although the existing and proposed buildings visually contrast with their designs and use of materials, both phase one and two are linked through the reinterpretation of common characteristics, such as angular projecting balconies, which allows the three buildings to remain distinct yet to form a clear relationship. Visually contrasting with the existing building, phase two implements a warmer palette of materials with a dark red brick intended to reflect Manchester's industrial heritage. This is then complimented by the zinc cladding used in Phase 1 to again link the two buildings on the site. The use of projecting balconies creates a strong visual link between the existing and proposed buildings. Although the proposed balconies adopt the familiar phase 1 angular geometry, in contrast with phase 1 the extent of balconies is clearly defined through the use of a secondary material.

The gable end elevations of the two blocks facing towards the City Centre and the corner of Carruthers Street have been upgraded substantially from the original proposals to create more visual interest through activity and architectural interest. These designs updated to create distinct gable elevations while ensuring the proposed buildings retain a unified character and appearance which display a common and consistent architectural language. The amount of brickwork has been reduced and the composition simplified. A vertical projecting balcony defines the corner and adds activity to upper floors. The unique corner projecting balcony, with a greater degree of glazing, subtly reinforces the distinct character of the gable elevations. Therefore, the design and appearance of the proposals are considered to be acceptable for this site, and is in keeping and appropriate for the surrounding developments and character of the area.

### Scale and Massing

It is proposed to erect one 9 storey block to the eastern end of the application site on the corner of Pollard Street and Carruthers Street and one 8 storey block to the western end of the application site. These two blocks are separated by an active shared courtyard space which visually connects the entrances of the two new blocks with the entrance of the existing Phase 1 block. This also creates a break between the scale and massing of the new development rather than one continuous block of accommodation.

The existing block of Phase 1 is 9 storeys in height and measures 27m in height, and the new blocks are no higher than this existing structure. Block A is proposed to be 8 storeys in height and measuring 24m and Block B is 9 storeys in height to match Phase 1 and measures 27m in height. The elevations of these new blocks are broken up by architectural features, such as projecting and recessed balconies and window features, and this also helps to reduce the overall visual bulk and mass of the buildings. The top floor of both Blocks A and B have been designed in a different style and use of materials to the floors below to create a 'top hat' feature that again is proposed to reduce the visual impact and bulk of the new buildings, by using the zinc material rather than the solid brick. Therefore, it is considered that based on the above design features and height of the new buildings, the proposals have secured an acceptable scale and massing for this site.

### Extant Approval V's Current Proposals

As is described at the beginning of this report, a previous planning approval was granted and implemented on this site for a mixed development of residential apartments, office space and retail floorspace. This permission granted approval for three buildings, one of which is now built and occupied. Through the construction of Phase 1 of the development, this implemented planning approval 075171/FO within the five years prescribed by condition 1 of the consent. Therefore, this remains an extant planning approval that can be implemented and constructed at any time in the future. The two other buildings approved by this consent were a 7 storey block running along the boundary with the Metrolink line and a 22 storey tower on the corner of Pollard Street and Carruthers Street.

As there is an extant permission for this site that could be constructed at any time, it is necessary to compare the current proposals with the scheme previously approved and assess if there is any additional and significant impact from the new proposals over what was previously approved. The two main areas for assessment where the previous and current schemes differ most are the height of the buildings and the distance between the existing and proposed buildings.

As stated above, the previous approval granted permission for a seven storey block along the main stretch of the site bounded by the Metrolink and a 22storey tower on the corner of Pollard Street and Carruthers Street. The new proposals include two separate blocks rather than one continuous block and is only one storey higher than the extant scheme in Building A and two storeys in Building B. The location of Building B is towards the eastern end of the site where the 22 storey tower was previously located, and therefore this is significantly lower and less overbearing than the previous scheme. Building B is also the same height at 27m as the existing Phase 1 building and therefore, it is not considered that this has an undue additional overbearing impact than the previous consent. The applicant has submitted a sun path study of the previously consented scheme and the new proposals and there does not appear to be a significant increase in the amount of shade caused by the new buildings compared to the previously consented scheme at the equinox mid-length days, the summer solstice and the winter solstice days. The largest difference is during the winter months where the shadow cast by the new buildings does come slightly further up the Phase 1 building than the previous 7 storey and 22 storey buildings. However, due to the break in the buildings in the new proposals, there are some units towards the middle of the existing Phase 1 block that will receive more sunlight than they would have under the previously consented scheme. Therefore, on balance, it is not considered that the additional impact created from the new proposals over what was previously given consent, in relation to the height of the buildings, is significant enough to warrant the refusal of this planning application.

In relation to the distance between the blocks, it is acknowledged that the proposals now being considered are closer to the existing Phase 1 building than the previously consented scheme. However, it should be noted that the original November 2012 submission included two 'L-shaped' buildings, where the arms of these blocks came close to the existing Phase 1 building. Following negotiations with the applicant, these elements have been completely removed from the scheme to ensure the maximum distances between the new and existing schemes could be achieved. To provide some actual distance measurements, four distances can be provided

between the existing and proposed blocks moving from west to east along the site from the closest to the furthest away measurement. For the previously consented scheme, these measurements were 19.6m, 28m, 38.5m and 43.2m and for the new proposals these distances are 16m, 29m, 25.5m and 46.4m. This shows that at the closest point between the existing and new buildings, the new scheme is 3m closer to the existing Phase 1 building than the previously consented scheme. The western corner of Building B is also closer to the existing Phase 1 building than the previously consented scheme due to the break up of the two new blocks and the siting of the block.

During negotiations with the applicant throughout this application process, it has been requested that the width, siting and orientation of the new blocks be reassessed to enable the maximum distances to be achieved between the new and existing blocks. However, it has been confirmed that the reduction in width of the blocks would result in a loss of units of accommodation, which would render the scheme unviable to complete. Furthermore, by moving Building A closer to Building B it would remove the 'safety' zone between buildings A and B to the entrance of these buildings, which would result in people entering from the access road directly. In moving Buildings A and B closer together not only would it remove the 'safety' zone and loose car parking spaces (including accessible parking spaces) but it would also create an issue in terms of overlooking between buildings A and B. This would be an issue as there are habitable rooms on both facing elevations.

It has also been confirmed that the siting and orientation of Building B cannot be altered due to the necessary exclusion zones around the existing electricity substations on Carruthers Street. The distance between habitable room windows within the existing and new blocks has further been maximised through the relocation of habitable rooms within the new blocks within areas that are closest to Phase 1 and the balconies have been designed to ensure there is no direct overlooking over the existing units in Phase 1. Therefore, it is considered that the new proposals have been sited and designed to minimise the overlooking and overbearing impact created from the reduced distances between the new and existing buildings.

Comments have also been made about the overbearing impact of this new development on St Anne's RC Primary and Nursery school located to the south of the application site. However, it is considered that the impact of the former 22 storey tower approved previously would have been significantly greater than the impact from the proposed nine storey block now proposed. The school is located some distance away, across Pollard Street and on the opposite side of the Metrolink tramline and therefore there should be no impact from this development on St Anne's school.

Therefore, with all of the information provided above being fully assessed, it is considered that the increased impact of the newly proposed scheme over the scheme that was previously granted consent in 2006 will be marginal and would not warrant the refusal of this new planning permission. This is a scheme which seeks to bring forward a vacant undeveloped site in a key regeneration area and would provide necessary accommodation within the City Fringe area for people who work in the City Centre and surrounding areas.

### Residential Amenity

It is acknowledged that there are existing residents living within the apartments of the Phase 1 building immediately adjacent to the application site, and there would be a significant increase in the amount of development on the site compared to the existing vacant land. Significant concerns have been raised from these residents in relation to loss of privacy, an overbearing and overshadowing impact on windows and balconies, a loss of view and in general on the amenity currently enjoyed by the occupants on the southern elevation of this existing building. However, it is considered that the site is currently vacant and not landscaped, so the redevelopment would improve the visual appearance of the site to the benefit of the key regeneration area where it is located and the adjacent Metrolink facility. As outlined above in detail, the buildings have been designed and sited to reduce the overlooking, overshadowing and overbearing impact on the adjacent properties and the height of the scheme has been set to match and be lower than that of the adjoining Phase 1 building. A sunpath analysis has been completed by the applicant, and due to the height and orientation of the new buildings, there will be some impact on the amount of sunlight received within the windows on the southern elevation of the properties in the Phase 1 building. However, the impact will mainly be during the winter months when the sun is lower in the sky, and the buildings will cast a wider shadow. This impact will not be significantly more than would have been experienced by the previously consented scheme, due to the size and location of these approved structures.

Concerns have also been raised in relation to the loss of view that will be experienced by units facing the application site and that existing properties will be devalued and difficult to sell once Phase 2 has been constructed. Although these issues have been considered as part of the proposals, they are not matters that can be given material weight in this decision and would not warrant a refusal of this application. It was always proposed for a Phase 2 of this development to be built and therefore, the view from the units on the south side of Phase 1 were always going to change and include a building of a certain size.

Therefore, it is considered that this vacant site will benefit from a well designed good quality residential building, and that the development will not create a significant adverse and harmful impact on the outlook experienced from the residential property windows. The privacy of the adjacent residents is being protected through the location of habitable rooms and the orientation of new balconies and the impact on the sunlight received by some properties will be outweighed by the significant improvement to the environment within this immediate area.

### Amenity Space and Landscaping

As outlined at the beginning of this report, the proposals include the creation of a 'sky garden' between the existing and proposed blocks of accommodation as a podium above some of the car parking areas. This is for the use of the residents within Phases 1 and 2. This sky garden would be attached to Block B of the new development, however the main access to this area would be from the main car parking area. Where the podium meets the first floor of Block B, private gardens will be provided for the apartments adjoining this area. The rest of the area would then be communal space for all residents. Further outdoor amenity space would then be created on the land between the new blocks and the boundary line with the Metrolink

with a mix of seating and grassed/landscaped areas. The car parking areas surrounding the blocks will also be broken up by tree and shrub planting. The area between the two new Blocks A and B will include a communal courtyard area with further seating and circulation space immediately adjacent to the main entrances into the two blocks to create a central community feel.

Concerns have been raised about potential noise and disturbance from late night gatherings on the sky garden with it being close to residential habitable windows. There is currently a 24 hour presence on site through a concierge/security at Phase 1 and this will also be extended through to the Phase 2 development. The plans do not show any intention to provide external lighting onto the sky garden and this will also help to resist any late night gatherings causing noise disturbance. Therefore, this area will be properly managed to ensure it is a positive space for all residents to use rather than a negative space.

Therefore, it is considered that this development delivers an acceptable level of outdoor amenity space for the future occupants of this development and additional landscaping will create an acceptable setting for the buildings within this urban area on the edge of the City Centre.

#### Car Parking and Highways

A Transport Statement has been completed and submitted to accompany this application. This report concludes that the application site is accessible by a range of non-car travel modes, can be accessed via a network of pedestrian routes from numerous residential area as well as key facilities and amenities within the surrounding area, is likely to generate lower levels of traffic when compared to the consented use of the site and can be accessed adequately from the surrounding highway network. Highway Services have reviewed the information submitted with this application and consider the development proposals to be acceptable.

The site is accessed from the existing vehicular access and gates off Munday Street. Vehicles will be able to access both the Phase 1 and Phase 2 car parking spaces from this route. The existing pedestrian access will also be retained and used for both Phases of the development. There are safe pedestrian routes across the new car parking area for Phase 2 to the main entrance areas of Blocks A and B, the sky garden and the other outdoor amenity spaces around the site. A large secure cycle store for 68 cycles is then provided within the car park.

The application information indicates that 139 car parking spaces would be created for the 144 new residential units creating a 97% provision, including 6 disabled spaces adjacent to the main entrances to Blocks A and B. The level of car parking for Phase 1 is not being reduced by the development of Phase 2 and the provision for this site and the wider complex was previously considered to be acceptable under the original approvals 075171/FO/2005/N2. The location of this development is close to the City Centre and the New Islington Metrolink stop and is considered to be in a highly accessible location. Therefore, it is considered that the car parking provision available to future occupants of the residential units is acceptable given the location of this site within a sustainable location.

The parameters submitted for the detached retail unit state that a maximum of 9 car parking spaces will be provided for this facility. As the proposed retail unit is aimed at local residents in the area and is located very close to the new Metrolink station, it is not considered that many customers will travel to this unit by car. Therefore, the provision of 9 spaces for this unit is considered to be adequate.

Concerns have been raised about the level of car parking at Phase 1 and the impact that servicing and deliveries have on an already congested site. The concerns are that this will be exacerbated by the development of Phase 2. It is acknowledged that there are 261 apartments and only 160 car parking spaces within Phase 1. As with all large flatted developments there is always a requirement for more parking, hence why the current proposals propose an enhanced ratio of parking to apartment numbers on Phase 2. There are deliveries and removal vans that visit the site, and predictably this can lead to congestion at busy times of day. However, it has been confirmed by the applicant that the existing and proposed development benefits from a concierge who is tasked with managing access, parking and deliveries. The concierge directs all visiting vehicles to where they can park safely.

It is considered that rather than exacerbate any parking problems which Phase 1 may suffer from, the proposed higher ratio of parking associated with Phase 2 should present an improved situation. The applicant has confirmed that they are happy to accept a condition requiring a Car Park Management Strategy. This would formalise the work that the concierge already undertakes in terms of controlling access, parking and deliveries. It could also set out delivery times and regulate when large removal vans can access the site and would set out formally where delivery vans can and cannot park.

Concerns have also been raised about the provision of safe pedestrian routes to the main entrance of Phase 1 of the development. The existing pedestrian access into the site is being retained and the route to the main entrance of Phase 1 is not being altered by the proposals for Phase 2. Also, this area of the site is outside the application site edge red and therefore, is outside the control of this planning application now being considered. Therefore, as this is an existing situation, no further details are required to accompany this application.

Finally, concerns have been raised about the impact of this development on the new Metrolink line and health and safety. Transport for Greater Manchester have been consulted on both the original scheme and the amended scheme and they have assessed all the information and plans submitted. They have confirmed that they are satisfied there will be no impact on the Metrolink line subject to the inclusion of certain conditions being included in any approval and through constant contact with the developer throughout the construction process.

Therefore, it is considered that the development proposes an acceptable level of car parking within this highly sustainable location and that the proposals would not have a detrimental impact on highway or pedestrian safety.

#### Sustainability

A Code for Sustainable Homes assessment and an energy strategy has been submitted to accompany this application. It is confirmed that the development will

achieve a minimum of Code Level 3 and by incorporating demand reduction measures the area weighted average DER is reduced to 24.0kgCO<sub>2</sub>/m<sup>2</sup>/annum, an improvement of 6.6% over the Building Regulations Part L1A 2010. No further energy efficiency improvements above the baseline building have been considered feasible for inclusion as the development proposal to include energy efficient lighting and electric space and water heating at 100% efficiency. Even though this does not achieve the 15% reduction as outlined within Policy EN6, it is considered that the 6.6% reduction with 100% efficiency on lighting, electric space and water heating is acceptable for this development due to the site history of significant viability issues.

#### Retail Provision

The existing approval is clearly a material consideration in determining this current application in relation to retail provision. In particular, the retail component of the current scheme (355 square metres gross) is in fact less than the amount of floorspace previously approved under application 075171/FO (585 square metres gross). The application site is located outside the Primary Shopping Area of the City Centre (or any other designated centre), outside the designated City Centre as defined in the Core Strategy, but within the defined Regional Centre. It is in an area where development is encouraged. The proposals are in an out-of-centre location for the purposes of applying policy and Policy C9 of the Core Strategy requires a sequential assessment to demonstrate there are no sequentially preferable sites. However, the proposals fall below the threshold set in paragraph 10.56 of the Core Strategy for consideration of impact on nearby centres. The Retail Assessment supporting the planning application defines a study area based on an 800 metre pedestrian catchment from the application site. It is considered that the definition of the study area by way of an 800 metre catchment is reasonable. There are no designated centres (or Local Centres which are not expressly defined in the Core Strategy) within the area the development would serve. Therefore, it is considered that there are no sequentially preferable locations in respect of the application site bearing in mind the scale and character of the development and the area it would serve.

The scale of the proposed development falls below the threshold defined within the Core Strategy above which an assessment of the impact of proposals is required. The scale is such that the proposed development is unlikely to have any significant effects beyond the immediate area. The retail component of the application proposals is modest in scale and would be appropriate to function as a neighbourhood convenience store meeting a requirement arising in the immediate locality. Therefore, it is considered that the retail provision proposed by this scheme is acceptable in principle, subject to the actual details of a new retail unit being approved through a reserved matters application.

#### Wind Tunnelling

The applicant is in the process of completing an assessment of the potential impact of wind tunnelling and updraft created by the tall buildings being proposed at this site. The contents of this report and the conclusions will be reported to Committee once it has been received.

### S106 Agreement

The extant planning approval 075171/FO/2005/N2 for this site included a S106 agreement for a contribution towards environmental, public realm and highway improvements within the local area to be paid on first occupation of the development. Due to Phase 2 of the development not being completed, a deed to vary the original agreement was agreed in 2011 to allow the contribution to be split into two equal portions, one to be paid on first occupation of Phase 1 of the development and the second on first occupation of Phase 2.

As this application would be a replacement planning consent for Phase 2 of the development, it is necessary for a new S106 agreement to be attached to any approval for the payment of the contribution linked to Phase 2. Therefore, the applicants have agreed to enter into a legal agreement relating to the following:

- A contribution for the purpose of improving and maintaining the environment, public realm, highways, public facilities, public infrastructure, traffic safety and the like in the vicinity of the site.

In addition to the above contribution, it is also necessary to include a clause about the proposed retail provision at the site. This new planning application would provide consent for the principle approval of a detached retail unit on the piece of land to the south of the Metrolink tramline. This is different to the previous consent for the Milliners Wharf development, where the retail provision was within the same block as the residential accommodation for Phase 2. Therefore, it is necessary to avoid a situation arising where it may be possible to develop the foodstore approved in the 2006 planning permission and the retail unit within the current planning application through a S106 obligation. An additional clause within the S106 agreement would ensure that the proposed detached retail unit under 100991 could not be brought into use, until works have commenced on the construction of the block of residential properties which the current application proposes on the site of the retail unit approved in the 2006 planning permission.

The Head of Planning and City Solicitors will negotiate the exact details of the legal agreement.

**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 has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a

decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

### **Recommendation MINDED TO APPROVE**

Subject to the applicant entering into a Legal Agreement under S106 of the Planning Act 1990 relating to a financial contribution for the purpose of improving and maintaining the environment, public realm, highways, public facilities, public infrastructure, traffic safety and the like in the vicinity of the site; and a clause relating to the delivery of the proposed retail provision on the site.

### **Article 31 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The applicant did seek any pre-application advice from the City Council prior to the submission of this planning application and some elements of the advice given at this stage were incorporated into the design of the submission. The original submission raised initial concerns about the height, scale, design and materials of the buildings, the provision of amenity space and the relationship of the development to the wider neighbourhood. Officers worked in a positive and proactive manner with the applicant to negotiate a revised scheme to create a more appropriate shape and positioning of the buildings, better elevational treatment through design and materials and the creation of a larger outdoor amenity space for residents. Therefore, the scheme is now acceptable and in accordance with the Development Plan.

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

1) a) Applications for approval of reserved matters for the development of the retail unit site as identified on drawing reference (20)400RevC, date stamped as received by the local planning authority on the 10th May 2013, must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

b) The development of Buildings A and B and the surrounding land as identified on drawing reference (20)400RevC, date stamped as received by the local planning authority on the 10th May 2013, 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 92 of the Town and Country Planning Act 1990.

2) Approval of the details of the access, appearance, landscaping, layout, and scale of the building (hereinafter called "the Reserved Matters") of the development of the retail unit site as identified on drawing reference (20)400RevC date stamped as received by the local planning authority on the 10th May 2013, and (where relevant) other matters as are required under condition numbered 3 to 32 inclusive shall be

obtained from the local planning authority in writing before any development is commenced on the retail unit site.

Plans and particulars of the Reserved Matters shall be submitted in writing to the local planning authority and shall be carried out as approved in writing by the local planning authority.

Reason - To ensure the satisfactory development of the site and because this application is in outline only, and to ensure that the conditions attached to the consent are complied with for each Phase or Part Phase related to the implementation to which they are relevant.

3) The development hereby approved for the retail unit site as identified on drawing reference (20)400RevC, date stamped as received by the local planning authority on the 10th May 2013 shall not exceed the following parameters:

- Retail floor area maximum of 355 m2 in gross external area
- Maximum height of 7 metres in a single storey building from finished floor level to top of roof
- Maximum of 9 car parking spaces

Reason - To ensure the development does not exceed the parameters disclosed in the planning application.

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

The Supporting Planning Statement, the Crime Impact Statement, the Bett Associates Desk Study Report, the retail statement completed by ID Planning, the Bett Associates Flood Risk Assessment, the Ecological Assessment completed by RSK Environmental Ltd and the Transport Assessment, stamped as received by the Local Planning Authority on the 20<sup>th</sup> November 2013, the application form, the Design and Access Statement – Addendum, the accommodation schedules for Buildings A and B, the Cleaning and Maintenance Strategy Report, the Code for Sustainable Homes Pre-Assessment, the Pre-Assessment Part L1A (2010) Compliance Report, the drawings numbered (20)400RevC, (20)402RevE, (20)410RevA, (20)110RevE, (20)111RevD, (20)112RevE, (20)113RevF, (20)210RevE, (20)211RevE, (20)212RevF, (20)213RevE, (20)100RevE, (20)101RevE, (20)102RevC, (20)103RevC, (20)104RevC, (20)105RevG, (20)106RevG, (20)107RevD, (20)108RevB, (20)200RevE, (20)201RevF, (20)202RevC, (20)203RevC, (20)204RevC, (20)205RevG, (20)206RevG, (20)207RevD, (20)208RevB, (20)209, stamped as received by the Local Planning Authority on the 10<sup>th</sup> May 2013, the amended plan numbered (20)401RevI, the massing views document and the Sun Path Study, received by the Local Planning Authority by email on the 23<sup>rd</sup> May 2013

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EC5, H1, H2, H4, C9, T2, EN1, EN6, EN14, EN18 and DM1 of the Core Strategy, saved policies DC7, DC20 and DC26 of the Unitary Development Plan for the City of Manchester and the guidance outlined

within the National Planning Policy Framework document and the Guide to Development in Manchester SPD and Planning Guidance (2007).

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. The development shall then be constructed in accordance with these approval details.

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

6) Notwithstanding the approved plans, no development shall commence until a fully detailed hard and soft landscaping treatment scheme for the site and the proposed sky garden has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

7) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to any part of the site or the buildings hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policy DM1 and T2 of the Core Strategy.

8) Prior to the commencement of the development hereby approved, a Car Park Management Strategy shall be submitted to in writing and approved in writing by the Local Planning Authority, which would include details of the role of a concierge in terms of controlling access, parking and deliveries, the control over delivery times, the regulation of when large removal vans can access the site, and details/plans of where delivery vans can park within the site and where they are restricted. The development shall then be constructed and operated in accordance with this management strategy as long as the development is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied and in the interests of highway and pedestrian safety in order to comply with Policy DM1 and T2 of the Core Strategy.

9) Prior to the first occupation of the development hereby approved, the provision of space and facilities for bicycle parking at the development shall be completed and made available in accordance with the details within the Design and Access Statement and as shown on the Ground Floor Plan numbered (20)401Rev1, stamped as received by the Local Planning Authority on the 10th May 2013. Prior to the installation of the facilities outlined within this strategy within each phase on site, elevations/specification details of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

10) Deliveries, servicing and collections, including waste collections for the commercial premises hereby approved shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

11) The retail premises hereby approved shall not be open outside the following hours:-

Monday to Friday - 06:00 to 23:00

Saturdays - 06:00 to 23:00

Sundays - 10:00 to 20:00

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.

12) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Pollard Street, the Metrolink, the service road and nearby industrial uses shall be submitted to and approved in writing by the City Council as local planning authority. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied and shall remain in perpetuity for as long as the building is operational.

Reason - To secure a reduction in noise from Pollard Street, the Metrolink, the service road and nearby industrial uses in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

13) Before the retail building hereby approved is first occupied it shall be insulated in accordance with a scheme 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 property. The development shall then be constructed in accordance with this approved scheme as long as the building is operational.

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

14) Before first occupation of the retail development hereby approved, any externally mounted ancillary equipment shall be acoustically insulated in accordance with a scheme 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 development shall then be completed in accordance with this approved scheme as long as the building is operational.

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

15) The development of the residential scheme hereby approved shall not commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse for the residential accommodation 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 development is occupied.

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

16) The development of the retail scheme hereby approved shall not commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse for the retail 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 development is occupied.

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

17) A site strategy for the facilities for keeping roads clear of mud and debris shall be submitted to and approved in writing by the City Council as local planning authority prior to the development of each phase commencing. The approved facilities shall be retained on site during the construction period and shall be positioned to allow use throughout each phase of construction.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policies SP1 and DM1 of the Core Strategy.

18) 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).

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.

b) 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.

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

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

19) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. 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.

20) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at

least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policies ER13 and DP3 of Regional Spatial Strategy for the North West (RSS13) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

21) The retail unit development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

22) No development shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works to be undertaken and a report submitted in accordance with a Written Scheme of Investigation (WSI) approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of site investigation and recording to include:
  - desk-based archaeological study
  - targeted archaeological evaluation trenching
  - targeted open-area excavation and recording (informed by the evaluation)
2. A programme for assessment to include:
  - analysis of the site investigation records and finds
  - post fieldwork production of a final report on the significance of the archaeological and historical interest represented.
3. Provision for publication and dissemination of the analysis and report on the site investigation to include:
  - a bound hardcopy and digital copy of the final assessment report with the Historic Environment Record
  - (dependent upon the investigation results) a volume in the series 'Greater Manchester's Past Revealed'.
4. Provision for archive deposition of the report, finds 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 order to record and advance understanding of heritage assets to be lost and to make information about the archaeological heritage interest publicly accessible in order to comply with saved Policy DC20 of the Unitary Development Plan for the City of Manchester.

23) Prior to the commencement of any works on site, a survey for breeding birds should be undertaken by a suitably qualified ecologist, shall be completed and submitted in writing and approved in writing by the Local Planning Authority. Should any breeding birds be found an appropriate mitigation scheme should be submitted to and be agreed by the Local Planning Authority and then be implemented in full.

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

24) Prior to the commencement of any works on site, full details of ecological enhancement measures for the site should be submitted to and be agreed in writing by the Local Planning Authority. The development shall then be completed in accordance with these approved details and retained as such while the development is occupied.

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

25) Notwithstanding the approved plans and documents, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is first occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

26) Prior to commencement of development, full details of a surface water drainage scheme, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details before the scheme is completed, and maintained thereafter.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity by ensuring the satisfactory storage of/disposal of surface water from the site, pursuant to policy EN14 and DM1 of the Core Strategy.

27) A fully detailed Residential Travel Plan, with the objective of reducing car borne journeys; and including particulars of its implementation and monitoring of

effectiveness and how measures to improve effectiveness shall be implemented shall be submitted to and approved in writing by the City Council as local planning authority within 12 months of the first occupation of the development hereby approved. For so long as the site is occupied or in operation the local planning authority shall be provided with such information as specified in the Travel Plan and all measures that are identified that can improve the effectiveness of the Travel Plan shall be adopted and implemented within a timescale agreed in writing by the local planning authority.

Reason - In accordance with the provisions contained within policies SP1, T1, T2 and DM1 of the Core Strategy.

28) The details of a 24 hour emergency telephone contact number for the site contractor shall be displayed in publicly accessible locations across the site and shall remain so displayed during the construction period.

Reason - In the interests of local amenity, pursuant to policy SP1 and DM1 of the Core Strategy.

29) No development shall be commenced on site, including any site clearance and preparation works, until a Construction Management Plan with detailed method statements of construction and risk assessments, including agreed safe methods of working adjacent to the Metrolink Hazard Zone, the parking of vehicles of site operatives and visitors, loading and unloading of plant and materials, the storage of plant and materials used in constructing the development, the construction and demolition methods to be used (including the use of a crane), the erection of any security hoardings, measures to control the emission of dust and dirt during construction, a scheme for recycling/disposing of waste resulting from the construction work and the protection of Metrolink services and equipment, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in strict accordance with the approved Construction Management Plan throughout the entire development process.

Reason - In the interests of protecting the Metrolink system, pursuant to Policies DM1 and T2 of the Core Strategy.

30) No development hereby approved shall commence until the full detailed design of the hard and soft landscaping, boundary treatments and lighting adjacent to the Metrolink Boundary have been submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in strict accordance with the approved details and shall remain as such while the development is occupied.

Reason - In the interests of protecting the Metrolink system, pursuant to Policies DM1 and T2 of the Core Strategy.

31) Before the development commences, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

- a) Identify, before the development commences, the potential impact area in which television reception is likely to be adversely affected by the development. The study shall be carried out either by the Office of Communications (OFCOM), or by a body approved by OFCOM and shall include an assessment of when in the construction process an impact on television reception might occur.
- b) Measure the existing television signal reception within the potential impact area identified in (a) above before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Independent Television Commission, and shall include an assessment of the survey results obtained.
- (c) Assess the impact of the development on television signal reception within the potential impact area identified in above within one month of the practical completion of the development or before 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. The 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 in (b) 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.

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

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Policies SP1, H1 and DM1 of the Core Strategy and to ensure the permanent retention of the accommodation for normal residential purposes.

### **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: 100991/OO/2012/N2 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:**

For neighbour notifications, see attached plan.

Highway Services  
Corporate Property  
Environmental Health  
Contaminated Land Section  
New East Manchester  
Environment Agency  
Transport For Greater Manchester  
Greater Manchester Police  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit

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

Highway Services  
Environmental Health  
Contaminated Land Section  
New East Manchester  
Environment Agency  
Transport For Greater Manchester  
Greater Manchester Police  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
United Utilities  
Councillor Rosa Battle  
Flat 42, Milliners Wharf, 2 Munday Street  
Flat 68, Milliners Wharf, 2 Munday Street  
Flat 100, Milliners Wharf, 2 Munday Street  
Flat 122, Milliners Wharf, 2 Munday Street  
Flat 137, Milliners Wharf, 2 Munday Street  
Flat 144, Milliners Wharf, 2 Munday Street  
Flat 150, Milliners Wharf, 2 Munday Street  
Flat 153, Milliners Wharf, 2 Munday Street  
Flat 156, Milliners Wharf, 2 Munday Street  
Flat 221, Milliners Wharf, 2 Munday Street  
Flat 232, Milliners Wharf, 2 Munday Street  
Flat 250, Milliners Wharf, 2 Munday Street  
Hope Mill, 113 Pollard Street, Manchester  
The White Hart, Shifnal, tf11 8bh  
2M Automation Ltd, Chambers Business Centre, Chapel Road, Hollinwood, Oldham  
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