## Application Number
108705/FO/2015/C1

## Date of Appln
20th Aug 2015

## Committee Date
15th Oct 2015

## Ward
City Centre Ward

### Proposal
Demolition of existing building at 10 - 12 Whitworth Street West, and redevelopment of the site for a new 35 storey residential building (Use Class C3) comprising 327 apartments, with associated residents’ services, facilities and communal spaces: servicing, highways, public realm and associated works.

### Location
10-12 Whitworth Street West, Manchester, M1 5WY

### Applicant
Brigantes Ltd & Duvet 1 Property Management Ltd, C/o Agent

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

### Introduction
This site measures approximately 0.12 ha and is bounded by Whitworth Street West to the north, the City Road Inn public house to the east, the Manchester - Liverpool viaduct to the south and Cameron Street to the west. It is occupied by a three storey former warehouse that has been vacant since 1992. There are a number of listed buildings in the immediate area including Manchester Central, Deansgate Locks, The Britons Protection PH, the former railway viaduct and Albion Wharf. The site occupies a prominent location and is situated immediately adjacent to a key gateway route into the city centre from the south of the conurbation. The site is not within a conservation area although the building would be visible from a number of conservation areas.

The area is dominated by transport and engineering infrastructure including railway viaducts, the Metrolink system, the Rochdale Canal and busy roads. It is a popular destination for night time leisure uses and Deansgate Locks is immediately opposite the site, where bars have late night licenses. A major metro link interchange has been created at Deansgate/Castlefield as part of the package of works associated with 2CC, along with extensive improvements to the environment. Manchester Central, which accommodates major conference and music events throughout the year, is beyond the Metrolink interchange, along with the Great Northern Warehouse and Beetham Tower. The Hacienda residential development and the Grade II listed Albion Wharf office building are to the north east. The City Road Inn is to the east, and several vacant three storey office blocks are located to the west.

The surrounding area contains a broad range of uses including residential, commercial and hotels, along with restaurants, bars and leisure. Commercial businesses are located in the railway viaduct arches to the south on Hewitt Street, and there are commercial uses to the west. Directly adjacent to the railway line is the Ropeworks residential building, with further residential buildings located further south. First Street is located to the south east. Buildings in the surrounding area vary in scale, massing and materials.
The site is close to major public transport facilities including Deansgate and Oxford Road rail stations and the Metrolink tram stop at Deansgate-Castlefield. There are bus stops at Lower Moseley Street, Whitworth Street West, Deansgate / Chester Road and Great Bridgewater Street.

Planning Permission was granted for an 18 storey building on this site in 2009, comprising a hotel, restaurant/bar at first floor, conference facilities at second floor, including a separate ancillary ground floor unit to be used for Class A1, A2, A3, A4, B1(a), B1(b), C1, D1 or D2 purposes, (ref. 089876/FO/2009/C1). The proposal included the adjacent pavement area on Whitworth St West to incorporate a taxi and delivery vehicle drop off lay-by. The permission lapsed in 2012.

There is a recognised need to accelerate the provision of new housing given the critical relationship between housing and employment growth and the importance of a vibrant construction sector. As such, the creation of new housing is a key objective for the City Council.

Description of Proposed Development

The application proposes a 35 storey residential building comprising 327 apartments for the private rental market. A wide range of communal uses would be provided including lounge areas, work stations, a café, cold storage space, concierge, gym, dinner party rooms and a communal roof space. The scheme would include 119 No x 1 bed and 208 No x 2 bed apartments. Internal and external shared amenity areas would be provided to enable residents to work and entertain within the building and a high quality management and customer service regime would be implemented. The building is 116 metres from street level at its highest point. The ground and first floor contain the entrance and reception area, residential amenity space, back of house and servicing areas and the second and third Floors have apartments, storage and plant spaces. Floors four to thirty four contain solely apartments apart from floor nineteen which also contains some plant. The roof top level would house a terrace and pavilion with water tanks etc in the basement.

It would not be possible to provide car parking on site owing to its size and physical constraints. Off-site car parking would be provided in the existing surrounding car parks at a level of 40%. 80 on site cycle parking spaces would be provided within a secure cycle store room on the ground floor of the building. Cycles can be accommodated within the lifts, allowing access to the lower ground floor from the ground floor reception area.

The proposal has been presented in the current context and also in the context of the approved 27 Storey Axis development. Buildings in the area include a mixture of materials and styles from Victorian to contemporary, including both brick and metal cladding. There is however a common palette of colours including reds, buff, oranges/red, golden yellows and bronzes. The external façade of the building incorporates colours and materials which respond to the immediate context.

The apartments would mainly face north or south, with a similar orientation to the Beetham Tower. The main elevations are intended to be light weight and would be clad in a unitised system comprising a mixture of three panel types with: large floor to
ceiling height clear glazed flush fixed windows; flush fixed solid metal polyester powder coated (PPC) metal cladding in a bronze colour; and, flush, fixed perforated or louvred PPC metal panel, in a bronze colour with an openable vent behind.

The east and west elevations would be more solid, comprising a solid dark grey outer frame containing slot windows. The contrast between the solid east and west elevations to the more lightweight and open north and south facades has been influenced by other Manchester buildings including Victorian buildings and mid 20th-century towers of City Tower and Manchester One. The lower levels of the northern elevation are recessed to create a base to the building and create a wider and more generous pavement.

Metal fins run in front of the solid panels to give a depth to the facade and emphasize the verticality of the building. The windows vary in width with living rooms wider than which provides variation. The south side of the building contains the core. This projects beyond the main block of accommodation to emphasise its function and this also serves to re-inforce the verticality appearance of the building.

The four storey base and 6m roof terrace create order to the building providing an overlarge base, middle and an obvious top. The base is fully glazed to Whitworth Street West creating an active frontage and is predominantly solid to the south to respond to the environment of the railway viaduct. The roof pavilion is fully glazed to the north and south to emphasise the top of the building.

Pedestrian access would be from Whitworth Street West. There is a separate access for cyclists to the dedicated cycle store off Cameron Street. Servicing would take place from Cameron Street. A drop off bay is also proposed on Cameron Street for deliveries and taxi drop offs. The building would provide a central recycling and refuse area at the ground floor.

The following information has been provided in support of the application

Design and Access Statement
Transport Statement
Travel Plan
Waste Management Strategy;
Ground Conditions Report;
TV Reception Survey;
Environmental Standards Statement;
Energy Statement;
Ecological Assessment;
Air Quality Statement prepared;
Drainage Strategy;
Residential Management Strategy;
Statement of Community Consultation;
Archaeological Assessment and
Crime Impact Statement.
The Environmental Impact Assessment of the proposals, which comprises:
Volume 1: Environmental Statement including:
Introduction
Methodology
Site, Surroundings and Proposals
Construction Phasing
Consideration of Alternatives
Planning Policy Context
Cultural Heritage and Visual Impact
Noise and Vibration
Wind
Sunlight, Daylight and Overshadowing
Cumulative Effects and Interaction of Effects
Summary of Residual Effects
Volume 2: Technical Appendices
Volume 3: Non-Technical Summary

**Land Interest**

The City Council has a land interest in the site as the land edged red includes areas of highway. Members are reminded that in considering this matter, they are discharging their responsibility as Local Planning Authority and must disregard the City Council’s land interest.

**Consultations**

**Local Residents/Businesses**

The planning application has been advertised as:

- a major development;
- affecting the setting of listed buildings;
- E.I.A; and
- a development in the public interest.

Site notices have been displayed and businesses and residents notified and 10 letters of objection have been received which raise the following issues.

A letter has been received on behalf of Sugar Buddha which raises two major concerns. Firstly, a large number of additional noise sensitive residential uses in such close proximity to Sugar Buddha, which along with its neighbours is a source of night-time noise operating until 04:00h each day. The second concern relates to the height of the proposal which would have a significant adverse impact on daylight and sunlight. The forecourt benefits from largely unimpeded natural light.

As that business makes a considerable contribution to evening economy of this part of the City Centre, as well as being a beneficial user of part of the listed railway viaduct, his concerns have significant weight against the development. They consider that the application fails to examine these concerns effectively and that the impacts have not been taken into account. The proposal would have a significant adverse impact on heritage assets which must be given considerable weight.
It has not been demonstrated that entertainment noise would have a negligible effect and they are concerned that noise complaints will arise from future occupants of the proposed development. There are some major shortcomings in the evidence base supporting the application such as the harm to the setting of listed buildings and in particular to Lock No 90 and to 12 Deansgate Locks through adverse impact on the commercial prospects of Sugar Buddha.

All of these matters weigh very strongly against the application proposals. The adverse impacts of allowing the application would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The development would also offend the specific policies of the Framework protecting designated heritage assets. For all of these reasons, the applicant should be refused.

Responses from local residents have raised a number of other issues. There has been a lack of consultation regarding the proposal and many residents were not informed about the pre-consultation event. The development is overbearing, out of scale and character in terms of its appearance and would have a huge impact on people’s homes. It would adversely affect amenity as a result of a loss of privacy, loss of views and loss of light and overshadowing.

There could be noise and danger as a result of wind effects similar to those at the Beetham Tower. This could cause danger to pedestrians. It would have a negative impact on the operation of the rail system. Existing residents would be adversely affected as the sewer system may not cope and refuse cannot be dealt with in a satisfactory manner. It would be dangerous to introduce so many apartments so close to a dangerous and busy road and so close to Deansgate Locks. The scheme has no car parking.

Building the development on such a constrained site would be fraught with difficulties being next to homes, railway lines, a main road and other buildings. They question where a crane would be sited and how it would over-sail all these elements. The construction process would have an adverse impact on residents.

There is no onsite parking provision and no provision for visitor parking. The building seems plain in relation to other tall buildings. The scheme would have an adverse impact on heritage assets and Listed Buildings, namely the City Road Inn and Viaduct. The development of the site would worsen an already unacceptable situation for cyclist.

The City Road Inn states that the proposal would affect a 24 hour escape route for guest rooms, block an emergency route from the kitchen and endanger lives, render a delivery route unusable and remove existing parking.

Head of Regulatory and Enforcement Services (Environmental Health) - has no objections and has recommended conditions in relation to air quality, contaminated land, noise and vibration, noise and acoustic performance, refuse, deliveries, construction management and discharge of fumes and odours.
Head of Regulatory and Enforcement Services (Contaminated Land) - has recommended conditions.

The Head of Neighbourhood Services (Highway Services) - has made a number of detailed comments that have been addressed by the applicant. Ideally cycle parking provision should be around 50%.

Housing Strategy - No objection.

Network Rail

Construction Methodology / RAMS - A method statement/ risk assessment and construction methodology must be submitted to the LPA and Network Rail's Asset Protection Engineer prior to works starting on site.

Scaffolding Proposals - The applicant is requested to submit details of proposed scaffolding works to the Network Rail Asset Protection Engineer for review. “Any scaffolding which is to be erected/constructed within 10 metres of a boundary to a railway line must be erected in such a manner that at no time will any poles over-sail the railway line. A method statement giving details of measures to be taken to prevent construction materials from the development reaching the railway (including protective fencing) shall be submitted to the LPA and Network Rail before the development commences.”

Use of vibro-impact equipment - “Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted by the LPA and Network Rail.”

Drainage proposals - “Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority and Network Rail.”

Earthworks & excavation proposals - “Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway are to be submitted to Network Rail for review and acceptance.”

EMC / E&P mitigation - “Prior to the commencement of works on site the developer is to provide details of mitigation measures to protect the site from induced voltages from the adjacent existing operational railway, to the LPA and Network Rail.”

Use of tower cranes - “Prior to the commencement of works on site the developer is to provide details of the tower cranes on site to the LPA and Network Rail.”

Wind impact to rail line - “Prior to the commencement of works on site the developer is to provide details of wind loading from the proposal to the LPA and Network Rail.”

Demolition methodology - “No demolition works shall be undertaken until a demolition methodology statement (including mitigation measures) has been submitted to the Council as local planning authority. The demolition methodology statement strategy shall be implemented in full throughout the demolition period.”
Impact of glare from signalling equipment - As the proposal is south facing, there is the potential for glare from the glazing to impact the sighting of signalling apparatus and/or train drivers vision on approaching trains. The developer will therefore provide details of mitigation measures to prevent any glare from the building impacting the operational railway.

Acoustic performance of the development - Network Rail requests that the LPA and the developer (along with their chosen acoustic contractor) engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings.

Integrity of adjacent listed structure (viaduct) - The proposal is adjacent to a listed structure and we are concerned that the works on site and as a permanent arrangement may impact negatively on the integrity of the viaduct. We would request that the LPA give due consideration to the scale of works in light of the listed structure.

Mitigation of projectiles - We would require details of mitigation measures showing that the roof terrace and any opening windows cannot be used for throwing projectiles. Balconies should not be permitted for the development due to the high impact on the operational railway if projectiles or similar are thrown onto the railway.

Greater Manchester Ecology Unit - No objection
Greater Manchester Archaeological Advisory Service- No objection
Greater Manchester Police (Design for Security)- No objection
Transport for Greater Manchester- support the use of the site for high density residential development. They acknowledge that the cycle parking provision is higher than the minimum required. They note that the apartments need to be properly insulated against all external noise sources including operational rail and Metrolink facilities.

Historic England- Note that the scheme is not located in a conservation area but does have a limited impact on the setting of a number of highly graded heritage assets such as Manchester Central (grade II*). They consider the impact to be acceptable and do not object to the proposal.

Environment Agency - No objection but have recommended conditions
United Utilities - No objection. Recommended conditions
Canal and River Trust.
Policy
Relevant National Policy
The National Planning Policy Framework set out the Government’s planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and the Government states that sustainable development has an economic, social and environmental role (paragraphs 6 & 7). Paragraphs 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan. Paragraph 12 states that:

“Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”

The proposed development is considered to be consistent with sections 1, 2, 4, 6, 7, 8, 10, 11 and 12 of the NPPF for the reasons outlined below.

**Section 1 - Building a strong and competitive economy**- The development would replace a vacant 3 storey building with a 35 storey landmark development. This would help to build a strong economy, create employment during construction and complement the established residential community within the area. It would contribute to the local economy with residents using local facilities and services.

**Section 2 Ensuring the Vitality of Town Centres** The proposal would develop a site close to a gateway route and help to create a neighbourhood that would attract and support a diverse labour market. This would support Greater Manchester’s growth objectives by delivering appropriate housing and meeting the demands of a growing economy and population. It would be close to the core of the city centre in a location that is well connected and would therefore help to promote sustained economic growth.

**Section 4 Promoting Sustainable Transport** - The proposal is in a highly accessible location close to Oxford Road and Deansgate Stations, the Deansgate/Castlefield tram stop and Oxford Road Corridor. The scheme would help to facilitate sustainable development and contribute to sustainability and health objectives and give people a real choice about how they travel.

**Section 6 Delivering a wide choice of high quality homes** The scheme would create an efficient, high-density development that would bring 327 homes to a sustainable City Centre location. The scheme would provide a range of accommodation sizes and types and help to create a sustainable, inclusive and high quality residential offer. Significant investment in housing is required in appropriate locations within Manchester as the city continues to grow. The City Centre is the biggest source of jobs in the region and the proposal would provide accommodation to support the growing economy and help to create a vibrant, thriving and active community.

**Section 7 Requiring Good Design** The proposed scheme has been the subject of significant design consideration, consultation and evolution. The building would be of a high quality in terms of design, materials, appearance and its internal environment. It would be a high quality addition to the area and the city centre and has the support of Places Matter and English Heritage.
Section 8 Promoting healthy communities The new residents would add to social interaction in the area and help to create a healthy, inclusive community. The new residents would provide increased levels of natural surveillance within the areas.

Section 10 Meeting the challenge of climate change, flooding and coastal change

The application site is in a highly sustainable location. The proposals aspire to achieve Code for Sustainable Homes (CfSH) Level 4. The application is supported by a CfSH Pre-assessment report which demonstrates that a target score of 69%, which equates to level 4 CfSH rating is achievable based on the current design and specification of the proposals.

Section 11 Conserving and enhancing the natural environment The documents submitted with this application have considered the potential risk of various forms of pollution, including ground conditions, air quality, noise and lighting, and the impact on ecology. These documents demonstrate that the application proposals would not have any significant adverse impacts in respect of the natural environment.

Section 12 Conserving and Enhancing the Historic Environment

The proposals would not have an adverse impact on the character or appearance of the setting of listed buildings or nearby conservation areas and this is discussed later in the report.

Within the NPPF, Paragraph 128 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 131 advises that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 133 advises that local planning authorities should refuse consent for proposals that will lead to substantial harm to or total loss of significance of a designated heritage asset, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. This is essentially a matter of judgement and will depend on the weight that is attached by decision makers and consultees to the various issues.
Paragraph 134 advises that where proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

**Relevant Local Policies**

**Core Strategy**

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

The adopted Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein, as follows:

**SO1. Spatial Principles** The development would be in a highly accessible location and reduce the need to travel by private car and therefore support the sustainable development of the city and help to halt climate change.

**SO2. Economy** The scheme would provide new jobs during construction along with permanent employment and facilities in a highly accessible location. The development would provide housing near to employment opportunities and therefore help to support the city’s economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

**SO3 Housing** The scheme provides 327 apartments in a highly accessible location and would meet demand for housing, near to employment opportunities, in a sustainable location. It would address demographic needs and support economic growth. The growing economy requires well located housing to provide an attractive place for prospective workers to live and allow them to contribute positively to the economy.

**SO5. Transport** The development would be highly accessible reducing the need to travel by private car and make the most effective use of public transport facilities. This would help to improve physical connectivity through the use of sustainable transport networks and help to enhance the functioning and competitiveness of the city and provide access to jobs, education, services, retail, leisure and recreation.

**SO6. Environment** The development would be consistent with the aim of seeking to protect and enhance both the natural and built environment and ensure the sustainable use of natural resources in order to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; and, ensure that the city is inclusive and attractive to residents, workers, investors and visitors.
Policy SP 1 (Spatial Principles) - This sets out the key special principles which will guide the strategy. Development in all parts of the city should:

“Make a positive contribution to neighbourhoods of choice including: creating well designed places that enhance or create character; making a positive contribution to the health, safety and wellbeing of residents; considering the needs of all members of the community regardless of disability; and, protect and enhance the built and natural environment”

The development would be highly sustainable and would deliver high quality City Centre homes alongside economic and commercial development within the Regional Centre. It would be close to sustainable transport provision, maximise the potential of the city’s transport infrastructure and make a positive contribution to neighbourhoods of choice by: enhancing the built and natural environment; creating a well designed place that would enhance and create character; re-using previously developed land; and, reducing the need to travel.

Policy CC3 Housing - It is expected that a minimum of 16,500 new homes will be provided in the City Centre up to 2027. The development would be located within an area identified as a key location for residential development and thus would contribute to meeting the overall housing targets identified for the City Centre within the Core Strategy.

Policy CC5 – Transport - The proposed development, due to its location would contribute to improving air quality by being accessible by a variety of modes of sustainable transport.

Policy CC6 City Centre High Density Development - The proposals would be a high density development and maximise the efficient use of land.

Policy CC8 Change and Renewal - The proposed development would create temporary employment during construction.

Policy CC9 – Design and Heritage - The proposed new building would have a high standard of design appropriate to its context and the character of the area and it would not have an adverse impact on the setting of adjacent listed buildings or Conservation Areas.

Policy CC10 – A Place for Everyone - The flats would be a mix of one and two bedroom apartments which would appeal to a wide range of people from single professionals and young families to older singles and couples.

Policy H1 - Overall Housing Provision - The development would provide new homes in the City Centre, which would be consistent with regeneration objectives and help to create a mixed use community. This would be consistent with the regeneration objectives for this part of the City Centre. The development would contribute to the ambition of building 90% of new housing on brownfield sites. The development would have a positive impact on the surrounding area, meeting the needs of the predominant 25-39 year old demographic from which the majority of demand is forecast.
Policy H8 – Affordable Housing - A Viability Appraisal has been submitted to the Local Planning Authority in order to consider the scope of the proposed development to contribute towards affordable housing within the city. The Appraisal demonstrates that the proposed scheme is viable and capable of being delivered. This issue is discussed in more detail below.

Policy T1- Sustainable Transport - The proposed development would encourage modal shift away from car travel to more sustainable alternatives and by redeveloping this redundant site this would improve key pedestrian routes at Whitworth Street West and Albion Street and the pedestrian environment.

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

Policy EN1- Design Principles and Strategic Character Areas - The proposal involves a good quality design, and would result in development which would enhance the character of this area and the overall image of Manchester. The design responds positively at street level and would create a significant landmark building in a pivotal location and emphasise the importance of the area. The positive aspects of the design of the proposals are discussed in more detail below.

Policy EN2 – Tall Buildings - Tall buildings are defined as buildings which are substantially taller than their neighbourhoods and / or which significantly change the skyline. Proposals for tall buildings will be supported where it can be demonstrated that they:

- are of excellent design quality
- are appropriately located
- contribute positively to sustainability
- contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance, and
- will bring significant regeneration benefits

A fundamental design objective is to ensure that tall buildings complement the city’s key existing building assets and make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including its skyline and approach views.

Suitable locations include sites within and immediately adjacent, to the City Centre, with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes.

The proposed development would be classified as a tall building. It would have a high standard of design quality, be appropriately located within the site, contribute positively to sustainability, contribute positively to place making and would bring significant regeneration benefits. A Tall Building Statement submitted with the application identifies key views and assesses the impact of the proposed tall building upon these. It also evaluates the building in terms of its relationship to its site context / transport infrastructure and its effect on the local environment and amenity.
Policy EN3 Heritage - It is considered that the quality and design of the proposed building would enhance the character and appearance of the city and this is discussed in more detail below.

Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon - Development requires all development to follow the principle of the Energy Hierarchy to reduce CO2 emissions. The proposed development would follow these principles.

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies - The development would comply with the CO2 emission reduction targets set out in this policy.

Policy EN8 - Adaptation to Climate Change – The proposals aspire to achieve Code for Sustainable Homes (CfSH) Level 4. The application is supported by a CfSH Pre-assessment report which demonstrates that a target score of 69%, which equates to level 4 CfSH rating is achievable based on the current design and specification of the proposals.

Policy EN14 Flood Risk - The site is located within Flood Risk Zone 1 on the Environment Agency’s Flood Map, and as such is at low risk of flooding from rivers or sea. The site is less than 1 hectare and therefore falls below the threshold for the requirements of a Flood Risk Assessment. The policy also sets out requirements for all new development to minimise surface water run-off. The comments of United Utilities recommend appropriate conditions.

EN15 Biodiversity and Geological Conservation – An Extended Phase 1 Habitat Survey concluded that there is little semi-natural habitat on site and there are no important habitats or vegetation communities occurring on site or close enough to the site boundaries to be adversely affected by the proposals. There are no specifically protected or otherwise important species occurring on site, adjacent to the site boundaries, or that will be otherwise affected by development proposals, and the site is considered to be generally of very low ecological value.

Policy EN16 - Air Quality - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and therefore minimise emissions from traffic generated by the development.

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

Policy EN18 - Contaminated Land and Ground Stability- A desk study which considers ground contamination issues has been submitted with the application.

Policy EN19 Waste - The development would be consistent with the principles of waste hierarchy. In addition the application is accompanied by a Waste Management Strategy which details the measures that will be undertaken to minimise the production of waste both during construction and operation. The Strategy states that
coordination through the onsite management team will ensure the various waste streams throughout the development are appropriately managed.

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

Policy DM 1- Development Management - This sets out the requirements for developments in terms of BREEAM and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

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

These issues are considered full, later in this report.

**Saved UDP Policies**

The following saved UDP policies need to be considered in relation to the application.

DC18.1 Conservation Areas. - The development is not within a Conservation Area, but is close to Conservation Areas at St Peter's Square, Deansgate and Castlefield.

DC19.1 Listed Buildings - The proposed development would not have an adverse impact on the setting of adjacent listed buildings.

DC20.1 Archaeology - An archaeological desk based assessment has been carried out for the site and it is considered that the development would not have an impact on any potentially significant remains on the site. This is supported by comments from GMAAS.

DC26.1 Development and Noise - This details how the development control process will be used to reduce the impact of noise on people living and working in the city and which states that this will include consideration of the impact that development proposals which are likely to be generators of noise will have on amenity, and the
implications of new development being exposed to existing noise sources. This is discussed below.

DC26.2 Development and Noise – New noise-sensitive developments including large-scale buildings, such as housing, 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 be realistically reduced.

DC 26.4 Development and Noise – Where existing noise sources might result in an adverse impact upon a proposed new development, the Council will require the applicant to provide an assessment of the likely impact and the measures proposed to satisfactorily deal with it.

DC26.5 Development and Noise - This states that the Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development, as well as noise barriers where this is appropriate.

These noise policies are considered later in this report.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all.

The SPD states that proposals should seek to ensure that the use of the building reflects their purpose and the place in which they are located. Development should enliven and define neighbourhoods and promote a sense of place. Development should have regard for the location of sustainable public transport and its proximity.

In relation to crime issues, the SPD requires that prevention measures should be demonstrated, and include the promotion of informal surveillance, CCTV, good lighting and stewardship.

Manchester City Centre Strategic Plan (published in 2009) presents a vision for the City Centre and sets out the strategic action required to work towards achieving this over the period from 2009 - 2012. The Plan considers the contribution to be made towards achieving the overall vision by each of the district components of the City Centre and recognises the key role of Manchester City Centre in providing a positive image and framework for inward investment and explains that its continued strong economic performance within a high quality urban environment will be fundamental to the prosperity of both Manchester and its city region.

Stronger Together: Greater Manchester Strategy 2013 (GM Strategy) The Sustainable Community Strategy for the Greater Manchester City Region was prepared in 2009 as a response to the Manchester Independent Economic Review (MIER). MIER identified Manchester as the best placed city outside London to increase its long term growth rate based on its size and productive potential. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more
connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life. The proposed residential development of the application site will clearly support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

Environmental Impact Assessment

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (‘The Regulations’). During the EIA process the applicant has considered an extensive range of potential environmental effects in consultation with relevant consultees, and it is considered that the issues that could give rise to significant impact are:

- Historic Environment,
- Noise and vibration,
- Sunlight, Daylight and Overshadowing, and
- Wind.

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

An EIA scoping exercise has been undertaken to identify the key significant effects on the environment which may arise from the construction and operational phases of the development. The submitted Environmental Statement considers issues relating to historic environment, noise and vibration, daylight and sunlight, overshadowing and, wind.

Legislative Requirements

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

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

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

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

**Conservation Area Declaration**

The site has an impact on the St Peters Square Conservation Area, the Deansgate Conservation Area and the Castlefield Conservation Area.

**St Peter's Conservation Area**

St Peter's Square conservation area is situated in Manchester city centre. It is an area which contains a mixture of commercial, cultural and civic buildings. The name derives from St. Peter's Church, which stood in the centre of St Peter's Square from 1788 to 1907. The main characteristic of St Peter's Square conservation area is primarily one of civic grandeur, but it also contains some commercial property. The earliest building in the conservation area is the Friends' Meeting House on Mount Street, designed by Richard Lane and completed in 1830. It is in Greek Classical style with Ionic pedimented portico and replicates the Temple of Ilissus in Attica, a province of Greece. The area also contains a number of other listed buildings, including the Midland Hotel (Grade II* Listed), which is the epitome of the grand style in late Victorian architecture.

When opened in 1934 by King George V, the Central Library (Grade II* Listed) was the largest public library in the country. It is a Classical-style building in Portland Stone which takes inspiration from the Pantheon in Rome, with its circular plan and the central lantern light at the top of the dome. Its huge portico, supported by six Corinthian columns, emphasises the importance of St Peter's Square. The Central Library and the Town Hall Extension were designed at the same time, and together they form a single composition with a walkway between them. Scope for improvements in St Peter's Square is limited to refurbishment of listed buildings and redevelopment of the others. Any proposals should relate to the existing building context in form, scale, height, massing and material, and be complementary to the character of adjacent listed buildings. New and refurbished buildings in the area should be neither diluted nor superficial reflections of historic buildings but should have a vitality of their own. Bland copies would make no positive contribution but would simply devalue the historic character of the area.

**Deansgate Conservation Area**

Deansgate Conservation Area was designated by the City Council on 26 June 1985. It includes much of the area surrounding Peter Street and the junctions of Deansgate with both Quay Street and Bridge Street. The area is situated on ground which is
mostly flat, although there is a gentle slope down Peter Street in a westerly direction towards the river. Peter Street, and its continuation into Quay Street, is the most important junction in the area. Acute and oblique angles affect the plan form of buildings; since land in the city centre is at a premium, buildings totally cover their site and as a result more interesting buildings occur, many with corner entrances which are typical of Manchester.

Generally, buildings in the area display the Manchester characteristic of a tri-partite subdivision of the elevations, consisting of an over-large ground floor, a less highly modelled middle section and a varied top level seen against the sky. Buildings on Peter Street, Quay Street and part of Deansgate are of different ages and styles, but retain a positive relationship with one another. Where redevelopment proposals are put forward, the City Council will seek designs which are consistent with the character of surrounding buildings.

**Castlefield Conservation Area**

Designated on 13 October 1979, the conservation area's boundary follows that of the city along the River Irwell, New Quay Street, Quay Street, Lower Byrom Street, Culvercliff Walk, Camp Street, Deansgate, Bridgewater Viaduct, Chester Road, Arundel Street, Ellesmere Street, Egerton Street, Dawson Street and Regent Road. On 26 June 1985 the area was extended by the addition of land bounded by Ellesmere Street, Hulme Hall Road and the River Irwell.

The Castlefield area has evolved bit by bit over a very long period of time and is a multi-level environment which is unique in the world. It has a mixture of buildings from small scale houses to large warehouses, with multi-level historical transport infrastructure. There are a variety of building materials, which tend to be rugged and industrial in character.

Further development can take place provided that it respects the character of the area, and there is room for more commercial property. Ideally, new development should incorporate a mix of uses. The height and scale, the colour, form, massing and materials of new buildings should relate to the existing high-quality structures and complement them. This policy still leaves scope for innovation, provided that new proposals enhance the area. The extreme diversity of form and style in Castlefield's existing structures makes it permissible for designers to use their imaginations freely. Where buildings are arranged along a street, new structures should follow the street frontage.

**Issues**

**Principle of the Proposed Uses and the Scheme's Contribution to Regeneration**

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its longer term economic success. There is a crucial link between economic growth, regeneration and the provision of residential development and, as the City moves into its next phase of economic growth, further housing provision is required to fuel and complement the city's economic growth. This proposal would redevelop a site within the Civic Quarter.
which identifies the site as a location for a landmark building. It is close to First Street and Great Jackson Street and close to a key strategic gateway route, helping to transform a key entry point to Manchester. The creation of a landmark building would improve the perception and image of this area and the city in general and could act as a catalyst for further regeneration.

The proposal would deliver a range of good quality apartments, complementing the existing residential community in the City Centre. Manchester’s population is expected to increase by 100,000 by 2030, and this, together with trends and changes in household formation, requires additional housing. Sixty thousand new homes are required over the next 20 years (3,000 per annum) and the proposed development would contribute to this need within the City Centre.

Residential development would be consistent with a number of the Greater Manchester Strategy’s key growth priorities. It would deliver homes to meet the demands of a growing economy and population, in a well-connected location, within a major employment centre and would promote sustained economic growth within the city. It would regenerate a previously developed brownfield site and would be in keeping with the aspirations of the emerging Residential Growth Prospectus.

Whilst there has been a considerable amount of redevelopment and regeneration within the City Centre over the past 20 years, this is inevitably an ongoing process and much remains to be done. The presence of the Rochdale Canal, the railway viaduct and Whitworth Street has been a psychological and physical barrier to investment in the southern part of the city centre. As such, linkages to adjoining communities are not as evident or as successful as they could or should be. In order to continue the regeneration process and maximise and diversify the benefits that it could deliver, it is necessary to strengthen connections to established parts of the central area along key routes such as Deansgate and Albion St/Lower Mosley Street. High quality developments along these routes that provide activity and improve environmental quality are a key component of this process and the Hilton Tower is a clear indication of how perceptions of an area can be transformed through this process.

The site is close to a critical gateway route into the city centre from the national motorway network and the Airport. The entry sequence into the city centre is crucial to its overall image and people’s perception of it so it is vital that it is of the highest quality. There is a vacant building on the site and its impact in terms of helping to deliver these twin objectives of improving linkages and integration and enhancing gateway status is at best neutral. A high quality development as proposed would have significant benefits and would continue the process of regeneration. It would greatly improve the environment and image of the Albion Street corridor and would help to integrate First Street with the city centre.

In view of the above, the development would be in keeping with the objectives of the City Centre Strategic Plan, the Greater Manchester Strategy, and would complement and build upon Manchester City Council’s current and planned regeneration initiatives. As such, it is considered that a residential use of this site, in principle, is entirely appropriate. As such, it is necessary to consider the potential impact of the development.
Levels of noise in the area could be unusually high throughout the day, evening and night-time, even in a city centre context. The site is close to a busy and expanding tram route, the railway viaduct where train movements will increase, busy roads at Whitworth Street and Albion Street, the service yard for Manchester Central which often has large vehicles turning up late at night and early in the morning and Deansgate Locks and all of the activity associated with the night-time economy. However, that does not mean that residential accommodation isn’t acceptable here, but it does mean that noise issues have to be dealt with properly and there needs to be an acknowledgement that people occupying the accommodation do so in the full knowledge of the nature of the area. There are other existing residential schemes in the immediate area at the Hacienda and the Ropeworks, and the proposed Axis development would be located on the opposite side of Whitworth Street West.

**Viability and Affordable Housing Provision**

The NPPF provides guidance for applicants and Councils stating that decision-taking does not normally require consideration of viability. However, where the deliverability of the development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary.

The NPPF sets out, in relation to brownfield sites, that local planning authorities should seek to work with interested parties to promote their redevelopment. To provide an incentive to the bringing back into use of brownfield sites, local planning authorities should:

- Consider the different funding mechanisms available to them to cover potential costs of bringing such sites back into use; and
- Take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.

Core Strategy Policy PA1 considers the Council's specific policy requirements in relation to Planning Obligations and states that where needs arise as a result of development, the Council will seek to secure planning obligations and outlines the range of provisions that such obligations might need to be assessed on a site by site basis. Of relevance to this application could be provision of affordable housing, community facilities, public realm improvements, protection or enhancement of environmental value and climate change mitigation / adaptation. In the past, City Centre residential developments have in some instances, contributed towards environmental and residential infrastructure improvements. However in determining the nature and scale of a planning obligation, specific site conditions and other material considerations including viability, redevelopment of previously developed land or mitigation of contamination may be taken into account.

There is a city wide requirement on all residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed for developments to contribute to the city-wide target for 20% of new housing provision to be affordable. There are exemptions where either a financial viability assessment is conducted that demonstrates that it is not viable to deliver affordable housing or a proportion; or
where material considerations indicate that intermediate or social rented housing would be inappropriate. The criteria that might qualify developments for exemptions that are of relevance in this instance include:

That inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Frameworks, planning frameworks or other Council approved programmes;

It would financially undermine significant development proposals critical to economic growth within the city; The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability;

The consultation response from Housing Strategy states that in relation to affordable housing policy, Social Rent would not be appropriate in this location.

The building on the site has been vacant for a considerable period of time. There are issues around the viability of the scheme relating to the City Council's requirements for the highest quality of design and materials. The applicant has provided a viability appraisal for the site and the proposed development. The Appraisal demonstrates that the proposed scheme is viable and capable of being delivered.

**Design Issues / Impact on Townscape - CABE/ English Heritage Guidance on Tall Buildings**

One of the main issues to consider in assessing this proposal is whether the scale of the development is appropriate for the site. The proposed development at a maximum of 35 storeys is considered to be a tall building and as such the proposal needs to be assessed against Core Strategy Policies that relate to Tall Buildings and the criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABE.

The proposed height of the building would place it between the height of Beetham Tower (47 storeys) and the approved Axis building on the opposite side of Whitworth Street West (27 storeys).

**Design Issues, Relationship to context and impact on Heritage Environment**

Under these criteria the effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments and Archaeology and open spaces has been considered.

The area has changed considerably over the past 15 years with a considerable amount of new development. This should continue with the development of First Street, the new transport infrastructure at Manchester Central, the development of the Axis site, together with the application site. This will result in a dense grain to development within this area commensurate with its City Centre status.

The development of this site would add activity and vitality to the streetscape and would integrate a prominent site into its urban context and reinforce the character of
the streetscape and sense of scale. The proposed scheme is considered to make the most efficient use of the site.

Heritage and Visual Impact

Section 12 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. Paragraph 128 identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the assets importance sufficient to understand the potential impact of the proposals on their significance. In determining applications, the following considerations should be taken into account:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability.
- The desirability of new development making a positive contribution to local character and distinctiveness.

Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposals. The Environmental Statement includes a chapter assessing the historic environment and visual impact of the proposals upon the identified heritage assets in the vicinity of the site.

A Heritage Statement has been submitted, including a Visual Impact Assessment, which identifies and appraises features of the historic built environment within the context of the application. It describes their significance in order to understand and assess the potential impact of the proposals on them. The site is not within a Conservation Area but is close to the eastern boundary of the Castlefield Conservation Area and will have an impact on the Deansgate and St Peters Square Conservation Area. The area surrounding the site contains a number of listed buildings and the development could potentially affect the setting of 14 listed structures.

12 key views were identified in agreement with Historic England and Manchester City Council and these have been assessed. It is concluded that the development would result in nine instances of negligible impact and three instances of minor beneficial impact. It is considered that the quality and design of the proposal and the enhancement of the surrounding townscape would mitigate against any instances of adverse harm and would sustain the heritage values of the identified heritage assets. The proposal would maintain the character and appearance of the Castlefield Conservation Area, and introduce a new feature to the city skyline signifying presence and activity at a key gateway site. It would create a point of interest and encourage movement through the surrounding area which would help to revitalise the area and act as a catalyst for further development. Historic England agree that the selected views provide a thorough assessment of the proposal within the context of the closet Grade II* Listed buildings to the site, namely, Manchester Central and the
Midland Hotel, both in terms of the individual scheme and also the combined impact of the Axis tower.

Whilst the proposal is tall, the form and mass of Manchester Central and the architecture of the more distant Midland Hotel are of sufficient mass and scale, and have sufficient robustness within the street scene, to ensure that the proposal would not harm the significance of those heritage assets despite being within their setting.

The proposed development would add a positive element to the Manchester skyline and would serve as a place making landmark in this key location. When seen from the radial approaches to the city, the city centre skyline expresses the density of the city. There are numerous tall buildings which form important elements of Manchester's skyline and they are an essential part of the character of any dynamic city and this development would introduce a clear clustering of buildings to create a dynamic and varied skyline.

Therefore, the proposed development would enhance the character and appearance of the area and would not have a significant detrimental impact on the settings of nearby listed buildings. Therefore, notwithstanding the weight that must be given to preserving the setting of the listed buildings, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme as required in paragraph 134 of the NPPF.

**Relationship to Transport Infrastructure**

The site is well served by a variety of sustainable modes of transport. It benefits from exceptional transport links that will be enhanced further by the expansion of the tram system, the introduction of the second city crossing, the creation of a major tram interchange within St Peters Square and improvements at Deansgate/Castlefield and the cross city bus routes. The potential for travel by foot and cycle to and from the site is high, with a wide variety of important destinations situated within an acceptable walk or cycle distance of the site. Cycle parking facilities would be provided within the development.

However, it is acknowledged that some residents may wish to use a private car and therefore 131 car parking spaces (40%) would be leased by the developer from off-site car parks located within close proximity to the site. Visitors wishing to use a private car could use on-street and off-street provision in the vicinity of the site. However it is expected that many visitors may choose to travel by public transport.

The proposed Cross City Bus Travel improvements will provide a package of enhanced public transport connections along three of Greater Manchester's busiest strategic routes which included the Oxford Road/Wilmslow Road Corridor. Plans include the introduction of bus priority and congestion management measures along with significant improvements for pedestrians and cyclists. These improvements would provide more reliable bus journey times along with quicker cross city journeys.

The closest rail station to the site is Oxford Road Station which is a short walk from the site. Eight train services per hour connect Oxford Road Station with Manchester Piccadilly which provides national rail links to the proposed site and links to the
airport. Rail connections will be further enhanced as a result of the works proposed as part of the Northern Hub and HS2.

**Architectural Quality**

The key factors to evaluate are the building’s scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The Core Strategy policy on tall buildings seeks to ensure that tall buildings complement the city’s existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive city. It identifies sites within and immediately adjacent to the City Centre as being suitable for tall buildings.

The development has been designed to integrate with its context and the wider City Centre. The proposal is for a high quality; tall building that would reinforce this gateway entry point to the city centre and reinforce the grid structure of this critical corner site by reinstating the street edge and site corners. The massing has been considered so as not to adversely affect the setting of the adjacent or nearby listed buildings.

The scale of the proposal would contribute positively to a cluster of taller buildings that is evolving in the area along with the 47 storey Beetham Tower and the recently consented 27 storey Axis tower. The building would help to form a strong gateway to the city from the south.

The main elevations facing north and south would be clad in a unitised system and would combine a mixture of large floor to ceiling height clear glazed flush fixed windows, flush fixed solid metal polyester powder coated (PPC) metal cladding in a bronze colour and flush fixed perforated or louvred PPC metal panel in a bronze colour. The contemporary materials are considered to be acceptable as a contrast to traditional materials found elsewhere in area. The use of contemporary materials has some precedent in the immediate area at Beetham Tower.

**Sustainability**

Tall buildings should attain high standards of sustainability because of their high profile and local impact. The environmental statement accompanying the application provides an assessment of the schemes sustainability in terms of its physical, social, economic impact and other environmental effects.

The Environmental Standards Statement highlights that the proposal demonstrates best practice in sustainable design with a Code for Sustainable Homes assessment. The development has aspirations to achieve Code Level 4 of the Sustainable Homes standard based on the current design and specifications. A pre-assessment has been prepared and is submitted as part of the planning application. Following the Government Ministerial Statement issued on 25 March 2015, Code for Sustainable Homes has been removed however, the Applicant has prepared Code pre-assessments in order to ensure that the principles of the Code inform scheme.

The development’s energy consumption and therefore CO emissions would be minimised through the use of passive design techniques in conjunction with best
practice plant and equipment and LZC technologies where appropriate. In order to reduce energy consumption the development would be highly insulated, and would minimise glazing and use solar control glazing where appropriate. Heat recovery, low energy lighting and photo switching and automatic dimming would be used.

**Credibility of the Design**

This section considers the technical and financial credibility of the scheme. Tall buildings are expensive to build so the standard of architectural quality must be maintained through the process of procurement, detailed design and construction.

The design of the scheme has been developed in consultation with the developer and a contractor from the outset. The design presented in this application therefore properly reflects a scheme that is agreed, viable and deliverable. It is understood that funding for the scheme is secured and that there is a real commitment to deliver the development.

The building would be some 35 storeys and would be one of the taller buildings in the City Centre. It would be highly visible in some views but its impact would be a positive one and due to its high quality it would help to terminate and enhance these views.

The applicants have confirmed that the viability of the scheme has been costed on the quality of scheme shown in the submitted drawings and the applicant would commence on site at the earliest opportunity.

The proposals have been prepared by a client and design team that has experience of delivering high quality buildings in city centre locations and with a track record and capability to deliver a project of the highest quality. The core design team have previous experience in designing buildings within highly constrained sites, including experience in dealing with key stakeholders such as Network Rail. The construction methodology has been developed in consultation with a main contractor currently engaged on a live site in the immediate vicinity of the development.

**Archaeology**

A Desk Based Assessment (DBA) and Building Appraisal which accompanied the previously consented scheme in 2009 identified that the area was first developed between 1818 and 1824. The present warehouse building was built in 1902 and modified in 1926, 1960 and again in 1990-92. While the building was something of a rare type, key elements of the original design have been removed by later modifications. The report states that it is probable that the study area contains no remains other than the present standing building. In consequence, no further archaeological work is recommended for the Development. Greater Manchester Archaeology Advisory Service (GMAAS) consider that no further archaeological mitigation is required for this development site.

**Contribution to Public Spaces and Facilities**

It is important that the development interacts positively with and contributes to its surroundings at street level. The site is small and would be completely developed
and would not therefore provide any open space. However, the development would deliver a significant enhancement to the townscapes of Whitworth Street West, Albion Street and the wider area and vistas by developing a site that currently detracts from the area. The proposals would introduce activity and vitality to an unused site. The glazed double height ground floor would enhance the character of the area and enliven the street scene. The base of the building has been setback from the existing building line to provide a generous pavement width, which simultaneously provides a greater level of interaction with the street scene.

Albion Street and Whitworth Street West form part of important routes into and through the City Centre for pedestrians and vehicles. The vacant building does not contribute positively to the streetscene and its impact is at best neutral. The development of the site would create visual interest and activity and make an important contribution to integrating and linking key parts of the city centre.

**Effect on the Local Environment and existing residents**

This examines, amongst other things, the impact the scheme would have on nearby and adjoining residents. It includes the consideration of issues such as impact on daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements and the environment and amenity of those in the vicinity of the building.

(a) Sunlight, Daylight and Overshadowing

A detailed study has been carried out to assess the likely significant effects of the proposals on sunlight, daylight and overshadowing to surrounding buildings. The neighbouring residential properties most likely to be affected by the proposals are the Ropeworks, located directly to the south, and the Hacienda located to the north east. The windows most likely to be affected in each location have been assessed for loss of daylight and the effects on sunlight and overshadowing.

The assessment is undertaken on the basis of contained within the BRE Report ‘Site layout planning for daylight and sunlight: a guide to good practice’. The BRE guidelines state that they should be interpreted flexibly since natural lighting is only one of many factors in site layout design. For example in a historic city centre a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. The guidance is advisory and is intended to assist with good design. In the case of Manchester the need for flexibility has been driven by the need to ensure that the regeneration and economic potential of the principal economic driver for the region is protected and that sites are not unnecessarily sterilised. The interrelationship of new buildings to existing residential properties throughout the city centre bears out this socio-economic context, including for example the relationship between the Ropeworks and Hacienda in close proximity to the subject site.

Daylight has been assessed regarding the Vertical Sky Component (VSC) and Daylight Distribution (DD). 1,016 windows were analysed for (VSC) at 14 properties to establish the baseline position, the impact of the proposed development, and that plus the Axis development. The windows to properties around the site have varying
levels of daylight and a number are below the values suggested in BRE report 209. This is not unusual given the city centre context. The results of assessment illustrate that there is a reduction in the levels of the existing VSC from the baseline position. However, the results are considered to be typical for an urban environment. Regarding DD, the majority of the rooms overlooking the development in the adjacent properties satisfy the BRE Guidance, which is considered to be good for a city centre environment.

Post development 69% of windows have not had the daylight reduced by more than the BRE recommendation. 152 windows would have their daylight reduced by slightly beyond this whilst 82 have been reduced substantially below the 20% reduction suggested by the BRE Guidance.

In terms of the Daylight Condition, post development 84% of the rooms have not had the area of daylight in the room reduced by more than the 20% suggested by the BRE Guidance. 25 of the 339 rooms have had their daylight reduced slightly below the recommended 20%, a further 17 rooms have been moderately affected below the BRE recommended 20%. Finally only 13 of the 339 rooms tested have had their daylight substantially reduced below the 20% reduction.

With regard to assessing sunlight, BRE Report 209 provides recommendations for the assessment of the effect on sunlight enjoyed by individual windows. The results of the assessment identify 88% of the relevant windows are able to meet the BRE recommendations in respect of both annual and winter sunlight hours not being reduced by more than 20%. Over 91% of the windows are able to achieve the BRE recommendation for the annual sunlight hours and winter sunlight separately; but not both times of the years. Whilst there are windows which have a reduction in sunlight, given the city centre environment this is considered to be good.

In terms of overshadowing, of the 20 balconies tested half do not meet the BRE criteria. However these balconies are set back within the line of the building; as a result the balconies are reliant on mid to late afternoon sunlight to achieve the BRE recommendations; the recessed design prevents the sunlight from the south from reaching the balconies. The Development has the effect of interrupting part of the mid afternoon sunlight to the western balconies and reduces the amount of the balcony receiving 2 hours of sunlight to approximately half of the former value. Evening sunlight is maintained however.

The separation distances between the existing building and adjoining buildings, namely Ropeworks to the rear of the site, will remain the same as the proposed building, ie 17 metres approx. which is not considered to be unusual in a city centre context.

In summary, whilst the development does result in some effect on the neighbouring residential properties, these are not unusual in a city centre context. It is considered that the overall impact of the proposed development is comparable to other high rise developments in the city.

(b) Wind
Urban microclimate has undertaken a Wind Microclimate Study which considers two scenarios, scenario 1 with the proposed building relative to existing, and scenario 2, the proposed development with the consented adjacent Axis tower to assess the cumulative impact.

The assessment concludes that with the consented Axis Tower in place, the residual effect of the development on pedestrian safety is expected to be negligible. Mitigation measures have been identified that mitigate the wind effects to a negligible level if Axis is not built. In terms of pedestrian comfort, the residual effect on thoroughfares around the site is expected to be negligible and suitable for the intended use of those areas. The implementation of any measure required would be subject to be a condition should planning permission granted.

Wind-induced noise rarely occurs but this would be tested further as the detailed construction design of the roof louvres in particular is developed and reviewed further.

(c) Air Quality

The construction of the proposed development is expected to produce dust and increased emissions, with any adverse impacts during construction likely to be temporary, short term and of a minor impact. Mitigation measures would be in place throughout the construction period to minimise impacts on air quality in accordance with the Construction Methodology submitted in support of this application. The traffic generated when the apartments are occupied would have a minimal effect on air quality.

This issue will be fully addressed through the submission of a Construction Management Plan.

(d) Noise and Vibration

An Environmental Noise Survey has been undertaken as part of the Environmental Statement to support the application. Based on measured external noise levels, noise modelling software has been used to predict the future noise levels and determine the sound reduction requirements. This modelling also takes into account variations in height. As well as taking into account these factors, calculations have been undertaken to determine the acoustic requirements of the proposed building facades based on MCC internal noise level criteria, floor layouts, elevations and dimensions and worst case glazing percentages. All apartments are mechanically ventilated, meaning there are no background ventilation opening in the façade. In relation to entertainment noise, the ES calculations demonstrate that predicted noise levels will be at least 10dB less than background L90 noise levels and that the relevant criteria can be achieved within the 125 Hz and 63 Hz octave bands. The assessment concludes overall that the effects of external entertainment noise on this basis will be negligible.

In addition, to further assess compliance with the specified acoustic requirements, the façade contractor/supplier will be requested to undertake acoustic testing on fully representative test samples – including representative glazing and cladding, frames, seals, opening and sliding lights etc. The test results will be reviewed against the
requirements by the project acoustic consultant and only accepted if deemed to be acceptable.

(e) TV reception

A Television Reception Survey has been undertaken which shows that in general, building use around the Development is mainly for commercial use. All signal receive antenna systems are mounted on rooftops, ensuring optimal reception conditions. All terrestrial television antennas are directed towards the Winter Hill transmitter. Around the Site, the effects of slight signal attenuation are evident and the existing taller buildings in the study area are likely to be the cause.

Taking into account the survey findings, the predicted impacts and effects following the Development concluded that now that Digital Television Switchover has occurred in the region, analogue television signals are no longer available in the area. Consequently, no interference is possible to the reception of analogue television services. Due to the existing good coverage and the lack of typical two storey residential properties to the immediate north of the site (within any signal shadow zones), the proposed development will not impact the reception of DTT services. The Development will not impact digital satellite television reception, as there are no satellite signal dishes located in any theoretical signal shadow zones.

With respect to the adjacent Axis scheme, due to the direction of the incoming television signals (from northwest to southeast) and the location of the 10-12 Whitworth Street West scheme, no adverse impacts on television reception are expected at the Axis scheme’s site.

A condition requiring a post-construction survey should be attached to any permission to ensure that the mitigation measures are appropriately targeted.

**Sustainability**

The Environmental Standards Statement explains that the proposed development seeks to demonstrate best practice in sustainable design with a Code for Sustainable Homes assessment. The development has aspirations to achieve Code Level 4 of the Sustainable Homes standard based on the current design and specifications.

The development’s energy consumption would be minimised through the use of passive design techniques in conjunction with best practice plant and equipment and LZC technologies where appropriate. The following measures assist in achieving Level 4: Energy reduction, the building would be highly insulated, use of a moderate level of glazing (typically less than 40% of envelope area), depending on elevation and selective use of solar control glazing; Energy efficiency, heat recovery, low energy lighting, photo switching and automatic dimming and high efficiency VRF systems for all common areas; and, rRenewable / LZC technologies, with a hybrid system: 50% of the hot water demand will be led by Air Source Heat Pumps (ASHP).

**Waste**

The bins and recycling facilities are fully accessible to residents at all times and there would be a full time, 24 hour on-site building management team to manage waste.
The waste would be stored within the building at ground floor and taken to the service zone on Cameron Street by the building managers for an agreed twice weekly collection. The number of bins and the collection arrangements comply fully with the City Councils requirements.

Amenity Issues for future residents of the proposed development.

The impact of noise and vibration on future residents has been assessed, to determine and predict noise levels and determine the sound reduction and other requirements. A baseline vibration survey has assessed levels of vibration from traffic movements. This modelling also takes into account variations in height. This has allowed the acoustic requirements of the building facades to be calculated based on the City councils internal noise level criteria, floor layouts, elevations and dimensions and worst case glazing percentages. All apartments are mechanically ventilated and there would be no openings in the façade. It has been calculated that predicted noise levels would be at least 10dB less than background L90 noise levels In relation to entertainment noise, and that the relevant criteria can be achieved within the 125 Hz and 63 Hz octave bands. The assessment concludes overall that the effects of external entertainment noise on this basis would be negligible.

In addition, to further assess compliance with the specified acoustic requirements, the façade contractor/supplier would be requested to undertake acoustic testing on fully representative test samples, including representative glazing and cladding, frames, seals, opening and sliding lights etc. The test results would be reviewed against the requirements by the project acoustic consultant and only accepted if deemed to be acceptable.

Based on the proposed foundations and building structure, a negligible effect has been predicted in relation to the vibration affecting the proposed development. No mitigation measures are therefore considered necessary.

Provision of a Well-Designed Environment

The proposals include a high quality design and finish across the scheme. A wide mix of apartments which will range from one and two bedroom units are available to ensure choice for a wide range of potential occupants and to help foster a mixed community within the development. In addition, the 24 hour concierge on the ground floor will be able to provide assistance to residents if needs be and act as a point of contact for deliveries or visitors. The exterior design of the development demonstrates attention to detail. The proposals have taken cues from the immediate context of the warm tones, and to distinguish from the Axis development which has followed a similar concept, the tones are slightly darker.

In addition the residential amenity facilities provide a number of lively and active spaces for residents, including the roof terrace and lounge areas. These facilities provide a sense of community, and illustrate the long term nature of the investment by the applicant.

Full access and Inclusive Design
The design principles adopt an inclusive approach to allow easy, safe and secure access to all areas of the building for disabled visitors and residents. To this end there is no differentiation made across the residential accommodation provided. The scheme will fully comply with the requirements of Part M of the DDA. No parking for disabled people is provided with the development, due to the very tight constraints of the site.

The Proposal would provide level access at the main entrance and throughout the scheme. Once inside the building, all floors are accessible via large passenger lifts, and the stairs are designed to the ambulant disabled standard. Lifts and stairs are easily accessed from the building reception.

**Crime and Disorder**

A Crime Impact Statement has been prepared by Greater Manchester Police: Design for Security and is submitted as part of this planning application which highlights positive aspects of the proposals which including: the Development will bring additional vitality to a currently un-used site; the development would include a staffed concierge / security presence, located at a reception desk overlooking the main entrance, allowing staff to monitor people entering and leaving the building; and, refuse and servicing functions have been designed so that they can be carried out without compromising the security of the site perimeter.

In view of the above the proposals are considered to be consistent with section 8 of the National Planning Policy Framework, and policies SP1 and DM1 of the Core Strategy.

**Ecology and Biodiversity**

An Extended Phase 1 Habitat Survey concluded that there is little semi-natural habitat on site and there are no important habitats or vegetation communities occurring on site or close enough to the site boundaries to be adversely affected by the proposals. There are no specifically protected or otherwise important species occurring on site, adjacent to the site boundaries, or that will be otherwise affected by development proposals, and the site is considered to be generally of very low ecological value.

The disturbed, urbanised nature of the site and lack of optimal breeding, roosting or foraging habitat, means that only common urban birds such as seagulls and pigeons are considered likely to be present, the latter being the only birds recorded during the site visit. The avoidance of site works during the bird breeding season (February – July inclusive) will therefore result in no likely negative impact. There were no conclusive signs of roosting found by bats during the daytime survey and the building qualifies as having only low-moderate roosting potential. However, whilst the presence of roosting bats seems reasonably unlikely, this will require confirmation from a night time survey.

The section of the Rochdale Canal that would be affected by potential shading was assessed in May 2014, including an aquatic plant survey. The survey indicated that, along the affected section of canal, the abundance of marginal vegetation was rare. A survey for submerged plants revealed no such plants along the surveyed section of
canal. No protected or otherwise important plant species were recorded or were reasonably expected to occur.

The conclusion of the study was that floating water plantain and glass-wrack pondweed does occur in the Rochdale Canal, but no aquatic plants were recorded in the canal adjacent to the site. It is considered highly unlikely that either species is present in the section of canal immediately adjacent to the site.

**Contaminated Land and Impact on Water Resources**

A report has assessed potential sources of on-site contamination and has concluded that all pose a low risk. Off-site sources pose a low-medium risk is posed as a result of a number of industrial activities known to have taken place in close proximity to the site.

Site investigation works completed in 2009 in support of the hotel application did not identify any specific concerns with respect to soil quality or ground gas ingress. However, the scale of the current scheme would introduce greater loads to the underlying Sandstone Bedrock and as such the report recommends a supplementary programme of site investigation to investigate the strength and quality of underlying bedrock at depth beneath the site. Consideration should also be given to establishing the foundation design and construction of the adjacent Network Rail viaduct, as well as those within the existing building, to further refine understanding about their design and construction.

**Flood Risk**

In Manchester, and in particular in the City Centre, the approach has been to secure good quality development to meet the Council's wider growth and regeneration objectives. To help facilitate this, sites are not precluded from development purely based on risk where that risk can be appropriately managed. Therefore, the City Council do not require the application of the sequential test across different sites (as set out in paragraph 101 of the NPPF) but do require that at any development classed as 'vulnerable' development is situated in the least vulnerable areas of the site and that it must pass the Exception Test (as set out in paragraph 102 of the NPPF) to be acceptable. This requires consideration of whether the wider growth and regeneration objectives and sustainability benefits of a development outweigh any flood risk issues and whether the development can be brought forward safely for its users, over the lifetime of the development, without worsening flood risk elsewhere and ideally by reducing risk.

A Flood Risk and Drainage assessment has been submitted in support of the application which states that as the works are contained within the footprint of the existing building, there would be no change in the drainage catchment areas. All surface water runoff from the development would therefore follow the current strategy; namely water is collected at roof level conveyed through the building via a series of rainwater pipes before discharging into the adopted sewer network. Foul water would discharge into the adopted sewer network.
Given the above and for reasons outlined elsewhere in this report in relation to the consistency of the proposed development with the City’s wider growth, regeneration and sustainability objectives, the development would, on balance, be consistent with section 10 of the National Planning Policy Framework and Core Strategy policy EN14.

**Network Rail comments**

An initial Demolition and Construction Methodology statement has been prepared and approved as acceptable by Network Rail. This document has been submitted in support of the planning application. In addition, a detailed methodology is to be prepared by the Main Works Contractor once appointed and approved by Network Rail prior to commencement of construction activities on site.

A method statement is to be prepared by the Main Works Contractor / Scaffolding sub-contractor once appointed. A risk assessment and method statement is to be prepared by the Main Works Contractor and Piling sub-contractor once appointed and approved by Network Rail prior to commencement of construction activities on site. Drainage details are to be prepared by the Civil Engineer once the design is sufficiently developed and approved by Network Rail prior to commencement of construction activities on site.

Details are to be prepared by the Main Works Contractor / Groundworks sub-contractor once appointed and approved by Network Rail prior to commencement of construction activities on site. The developer has engaged a specialist consultant to investigate hazards from both an EMC/E&P perspective and determine suitable mitigation measures to be applied during both demolition/construction and later occupation stages. Details of mitigation measures are to be discussed with Network Rail, with approval by Network Rail before measures are implemented.

Details are to be prepared by the Main Works Contractor / Tower crane supplier once appointed and approved by Network Rail prior to commencement of construction activities on site. The Developer has appointed a suitably qualified Wind Engineer to undertake wind modelling and advise on the design proposals during the pre-planning stage. Wind is considered as part of the Environmental Statement which concludes that the railway viaduct to the south of the Site remains suitable for work activities and the effect of the proposed development is negligible.

An initial Demolition and Construction Methodology statement has been prepared and approved as acceptable by Network Rail, however a detailed methodology is to be prepared by the Demolition/Enabling Works Contractor or Main Works Contractor once appointed and approved by Network Rail prior to commencement of construction activities on site.

Once the material specifications have been finalised, which would seek to reduce solar glare, a solar glare assessment will be undertaken. This would form part of the condition regarding the material specification.

Noise and vibration has been considered as part of the Environmental Statement. Based on measured external noise levels (including a test point immediately adjacent
to the railway viaduct), noise modelling software has been used to predict the future noise levels and determine the sound reduction requirements. This modelling also takes into account variations in height. As well as taking into account these factors, calculations have been undertaken to determine the acoustic requirements of the proposed building facades based on MCC internal noise level criteria, floor layouts, elevations and dimensions and worst case glazing percentages. All apartments are mechanically ventilated, meaning there are no background ventilation openings in the façade. In relation to entertainment noise, the ES calculations demonstrate that predicted noise levels would be at least 10dB less than background L90 noise levels. The assessment concludes overall that the effects of external entertainment noise sources will be negligible.

In addition, to further assess compliance with the specified acoustic requirements, the façade contractor/supplier would be requested to undertake acoustic testing on fully representative test samples – including representative glazing and cladding, frames, seals, opening and sliding lights etc. The test results would be reviewed against the requirements by the project acoustic consultant and only accepted if deemed to be acceptable.

Calculations of both vibration dose levels and re-radiated noise levels are based upon empirically researched floor amplification factors given in “A Prediction for Rail Transportation Ground-borne Noise and Vibration” and “Handbook for Urban Noise and Vibration Control”.

In addition, calculations are based on the proposed rafted foundations and concrete frame, as well as typical residential room dimensions for the scheme.

It has been assumed that there may be up to 320 passenger train movements during day time periods (07:00 – 23:00 hours) and up to 160 train movements during night-time periods (23:00 – 07:00 hours). It has also been assumed that there will be 16 freight train movements during daytime periods and 8 movements during night-time periods.

Therefore, based on the worst-case (highest vibration) train movements measured during the vibration survey, calculations indicate the predicted eVDV shall be significantly less than 0.1 ms\(^{-1}\).75 and therefore should correspond to a “Less than Low Probability of Adverse Comment”.

Based on the worst-case (highest) vibration levels measured throughout the survey, calculations show that the re-radiated noise levels from structure borne vibrations are not predicted to exceed 39 dB L\(\text{A}_{\text{max}}\) on any residential floor of the development and therefore complaints arising from re-radiated noise should be unlikely.

The Heritage assessment advises that due to the proximity of the Grade II Listed Viaduct, there is potential for localised minor adverse impacts to the Grade II listed Viaduct, in terms of extended visual intrusion on a temporary basis during the construction of the building. The visual impact assessment prepared as part of the application demonstrates that there is a negligible impact once the building is operational. This is as a consequence of the form of the viaduct and its varied setting.
For the construction and demolition phases, mitigation measures have been identified through best practise construction and management techniques. This would include: regular cleaning of roads and the public realm surrounding the site during construction; edge protection to be affixed whilst concreting operations are in place; implementation of a traffic management plan and vibration monitoring.

The proposals as submitted for planning approval include: The use of non-openable windows on the rear (rail side) facade to prevent objects being thrown from apartments. There are no balconies proposed for any elevation on the development. The proposals include a 3m high glazed screen on the roof spanning the southern elevation to mitigate risk of projectiles falling from roof.

**Response to consultees and neighbours**

The majority of the issues raised have been addressed elsewhere in the report.

A loading bay would be available for deliveries and Traffic Regulation Orders would control the length of stay. A Construction Traffic Management Plan would be provided post planning and implemented via planning condition.

The impact on the Grade II listed lock structure and canal (not listed but within the Conservation Area) was considered at the time of assessment but it was deemed that due to its sunken position which is demarcated by the decking/access platforms to the units within the viaduct arches and Metrolink stop above, the ability to understand and appreciate the heritage values of the canal and lock structure would not be impacted. Under the NPPF, which calls for proportionality in terms of assessments of this nature, it was therefore considered unnecessary to provide detailed information, including visualisations from the canal.

In response to the points raised regarding access, impact on safety / fire escape, and deliveries, to the City Road Inn, the proposed development does not extend over the existing footprint currently occupied. Therefore the proposed development does not have any impact on safety / fire escape nor impact on deliveries or access.

During construction, disruption will be managed through appropriate mitigation measures and the implementation of a construction management plan.

80 cycle parking spaces are located on the ground floor. There are a number of on-road and off-road cycle routes in the vicinity of the development site. On-road cycle lanes are provided on Whitworth Street West for both directions of travel, with advanced stop lines provided at the signalised junctions with Albion Street and Deansgate.

A Flood Risk and Drainage statement states that as works are contained within the footprint of the existing building there will be no change in the drainage catchment areas. The site does not exceed the existing discharge rate as there is no increase in the drained catchment area. All surface water runoff would follow the current strategy. Foul water would discharge into the adopted sewer network.

**Conclusion**
It is considered that a residential development is acceptable, in principle, on this important City Centre site, and would be an appropriate response to national and local planning policy.

This report has demonstrated that this is an appropriate site for a tall building and that the development proposed would be well designed and high quality, achieving a landmark building at this important redevelopment site, which would fulfil an important role in providing a residential accommodation within the City Centre, for which there is a need.

As detailed above a residential development at the site would be consistent with a number of the GM Strategy's key growth priorities through the delivery of housing to meet the demands of a growing economy and population, in a well-connected location adjacent to a major employment centre. It would therefore assist in the promotion of sustained economic growth within the city.

The impact of the proposal on heritage assets within the vicinity of the application site has been considered very carefully. It is acknowledged that the proposal could cause some minor harm but that this would be less than substantial harm, and, having considered very carefully all relevant matters, including the requirements set out in the 1990 Planning (Listed Buildings and Conservation Areas) Act, it is considered that the harm to those settings is outweighed by the public benefits that the proposal would bring.

Given the above, it is considered that the proposal is in accordance with the city of Manchester's planning policies and regeneration priorities, including the Adopted Core Strategy, the relevant Strategic Regeneration Frameworks and the Community Strategy, as well as the national planning policies contained within the National Planning Policy Framework and should be approved.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.
Recommendation  APPROVE 108705/FO/2015/C1

Article 35 Declaration

In assessing the merits of an application for planning permission officers will seek to work with the applicant in a positive and pro-active manner to seeking solutions to problems arising in relation to dealing with the application. Planning officers have worked with the applicant to address issues, and initial concerns have been responded to, and details can be addressed in a satisfactory manner with the imposition of appropriate conditions.

Conditions

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

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

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

- 05247_B1_02_2199 Rev E Basement Floor Plan – issued 20.08.15
- 05247_B1_02_2200 Rev F Ground Floor Plan – issued 20.08.15
- 05247_B1_02_2201 Rev D First Floor Plan – issued 23.07.15
- 05247_B1_02_2202 Rev D Second Floor Plan – issued 23.07.15
- 05247_B1_02_2203 Rev B Third Floor Plan – issued 23.07.15
- 05247_B1_02_2205 Rev D Typical Lower Floor Plan – issued 23.07.15
- 05247_B1_02_2219 Rev D Nineteenth Floor Plan – issued 23.07.15
- 05247_B1_02_2220 Rev D Typical Upper Floor Plan – issued 23.07.15
- 05247_B1_02_2235 Rev D Rooftop Amenity Plan – issued 23.07.15
- 05247_B1_02_2236 Rev A Roof Plan – issued 23.07.15
- 05247_B1_04_2200 Rev B North Elevation
- 05247_B1_04_2201 Rev B East Elevation
- 05247_B1_04_2202 Rev B South Elevation
- 05247_B1_04_2203 Rev B West Elevation
- 05247_B1_05_2200 Typical West Section AA
- 05247_MP_00_1002 Rev A Proposed Block Plan – issued 20.08.15
- 05247_MP_00_1100 Rev A Demolition Plan – issued 20.08.15
- Design and Access Statement Revision C – issued 20.08.15
- Whitworth Street Waste Proforma
- Air Quality Statement
- Application form and certificates
- Crime Impact Statement
- Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment July 2015 Revision 2.1 – issued 13.07.15
- Energy Strategy
- Planning and Tall Building Statement
- Statement of Community Consultation
• Flood Risk and Drainage Statement
• Phase 1 Desktop Study
• Residential Management Strategy
• Transport Assessment
• Transport Assessment Addendum July 2015 – issued 23.07.15
• Updated swept path analysis – issued 23.07.15
• Travel Plan
• TV Survey
• Environmental Standards Statement
• Environmental Statement:
  o Volume 1 June 2015 – issued 17.06.15
  o Volume 2 Technical Appendices
  o Volume 3 Non-Technical Summary

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.

3) 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 along with jointing and fixing details have been submitted to and approved in writing by the City Council as local planning authority.

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

4) No development shall commence unless and until samples and specifications of all hard landscape materials for external areas, together with a layout plan identifying the location of the materials have been submitted to and approved in writing by the City Council as local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is carried out pursuant to policy DM1 of the Core Strategy and the Guide to Development.

5) Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

Reason: In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to the Guide to Development and policy DM1 of the Core Strategy.

6) The development hereby approved shall include a building lighting scheme during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme, including how
the impact on occupiers of nearby properties will be mitigated, shall be submitted to and approved in writing by the City Council as local planning authority before the development is completed. The approved scheme shall be implemented in full before the development is first occupied.

Reason: In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to policy E3.3 of the Unitary Development Plan for the City of Manchester DM1 of the Core Strategy.

7) Before development commences or within a timescale as otherwise agreed in writing by the City Council 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 secure by design accreditation.

Reason: To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy.

8) The development hereby approved shall not commence unless and until a servicing strategy, including a schedule of loading and unloading locations and times, has been submitted to and agreed in writing by the City Council as local planning authority. Servicing shall thereafter take place in accordance with the approved strategy.

Reason: In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM1 of the Core Strategy

9) The development hereby approved shall not commence unless and until a Construction Management Plan, has been submitted to and approved in writing by the City Council as Local Planning Authority.

The Construction Management Plan shall include details of the following:

- Hours of site opening/operation
- A Site Waste Management Plan
- Air Quality Plan
- A Plan Layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction.
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Construction and demolition methods to be used, including the use of cranes
- The erection and maintenance of security hoarding
- Measures to control the emission of dust and dirt during construction and
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- Details of and position of any proposed cranes to be used on the site and any lighting
- A detailed programme of the works and risk assessments
- Temporary Traffic Management measures to address any necessary bus re-routing and bus stop closures
- Details of safe methods of working adjacent to railway operational land
- Details on the timing of construction and scaffolding
- A Human Impact Management Plan

Any approval granted shall be following a consultation process that includes Transport for Greater Manchester and Network Rail. The approved CMP shall be adhered to throughout the construction period.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG)

10) The details of an emergency telephone contact number for shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason: To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy.

11) The wheels of contractors’ vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason: In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

12) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with the approved plans. These 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 transport mode, pursuant to policy T1 of the City of Manchester Core Strategy.

13) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason: In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.
14) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 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 Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

15) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective. The results of the monitoring and review processes shall be submitted in writing to the local planning authority and any measures that are identified that can improve the effectiveness of the Travel Plan Strategy shall be adopted and implemented.

Reason: In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

16) No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs, unless otherwise agreed in writing by the City Council as local planning authority.

Reason: In the interest of visual amenity.

17) No development shall take place unless and until a Residents Management Strategy has been submitted to, and approved in writing by, the City Council, as local planning authority. The Residents Management Strategy shall include details of maintenance, security, energy management, Janitorial services, common parts cleaning, exterior services, and building policies in relation to waste disposal, storage and deliveries.

Reason: To ensure the development is managed in interests of the general amenities of the area, pursuant to policies SP1 and DM1 of the Core Strategy.

18) 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 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.

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 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) A detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Council. This will contain a Noise & Vibration section that should base the assessment on British Standard 5228, with reference to other relevant standards. It should also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works (as below) will be submitted to and approved by this section, the details of which should be submitted at least 3 weeks in advance of such works commencing.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG).

20) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:
- Monday - Friday*: 7.30am - 6pm
- Saturday*: 8.30am - 2pm
- Sunday / Bank holidays: No work

*Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation during the construction/demolition phase.
Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy and Guide to Development 2 (SPG).

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

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The internal noise criterion are as follows:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB LAm by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
Gardens and terraces (daytime) 55 dB LAeq

Additionally, as there are other sources of noise situated close to the site which require consideration, such as the nearby licensed premises collectively known as ‘Deansgate Locks’ other noise requirements will need to be achieved. For entertainment noise the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance.

22) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating noise level of 5dB (LAeq) below the existing background (LA90) at the nearest noise sensitive location.

The scheme should be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

Reason - To secure a reduction in noise in order to protect future residents from noise disturbance.

23) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Reason: In the interests of residential amenity, pursuant to policy DM1 of the Core Strategy
24) This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a Sustainable Drainage System to meet the requirements of the National Planning Policy Framework (PPS 1 (22) and PPS 25 (F8)) and part H3 of the Building Regulations

Reason: To ensure the details of the development are acceptable, pursuant to policy DM1 of the Core Strategy

25) No surface water from this development is discharged either directly or indirectly to the combined sewer network

Reason: To ensure the details of the development are acceptable, pursuant to policy DM1 of the Core Strategy

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: 108705/FO/2015/C1 held by planning or are City Council planning policies, the Unitary Development Plan for the city of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services
Environmental Health
Corporate Property
City Centre Regeneration
Housing Strategy Division
Environment & Operations (Refuse & Sustainability)
Greater Manchester Police
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
Network Rail
United Utilities Water PLC
Canal & River Trust

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

Representations were received from the following third parties:

301 Deansgate, Beetham Tower 3907, Manchester, M3 4LX
Apartment 40, The Ropeworks, 35 Little Peter Street, Manchester, M15 4QJ
346 Deansgate, Manchester, M3 4LY
Apartment 3702, Beetham Tower, 301 Deansgate, Manchester, M3 4LU
B70 The Ropeworks, Little Peter St, Manchester, M15 4QJ

Relevant Contact Officer : David Brettell
Telephone number : 0161 234 4556
Email : d.brettell@manchester.gov.uk
Application site boundary  Neighbour notification
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