

List No. 7

City Centre Ward	Application Number 077144/FO/2005/C3	Date of Appln 20th Jul 2006	Committee Date 28th Sep 2006
Proposal	Eight storey extension to block A within courtyard area comprising 15 additional student clusters		
Location	Ground Floor, Student Village, Lower Chatham Street, Manchester, M1 5SX,		
Applicant	Classic Homes MSV Building, Suite 5, Lower Chatham Street, Manchester, M1 5SU		
Agent	Howard And Seddon Partnership 64 Washway Road, Sale, Cheshire, M33 7RE		

Description

The Site

The application relates to the courtyard of the Student Village building located on Lower Chatham Street and bounded by Chester Street, Cambridge Street and Hulme Street in the south of Manchester City Centre. Cambridge & Chorlton Mills, both fronting Cambridge Street, are grade II Listed buildings. They are located to the south of the main Student Village building and are separated by a courtyard. Chorlton Mill is owned and managed by the Student Village. Cambridge Mill has been converted into residential units and is in private ownership

The Proposal

Planning consent is sought for the erection of an eight-storey extension located within the courtyard to be used for student accommodation. The extension would be located on the existing elevated podium adjacent to Building A of the Student Village complex. It would comprise 15 additional student apartments each with four bedrooms (apart from the ground floor which would contain three rooms for adapted for use by disabled persons), totalling 59 bed spaces. The extension would comprise a steel frame structure clad externally. The design is modular and is designed to appear as a lightweight structure that is read differently to the existing large brick buildings surrounding the courtyard.

Access to the extension would be via Building A and the main entrance for the Student Village, All apartments are designed to be fully accessible for disabled users. Dedicated parking spaces and cycle parking are available within the existing basement. Refuse and recycling would be accommodated within the existing storage point also within the existing basement.

Consultations

Greater Manchester Police - Has no objections to the proposals
Head of Environmental Health - No objections provided that the recommendations in the submitted acoustic report are implemented and a condition is attached to any approval granted regarding delivery/servicing hours.
Operational Services - No representations have been received
Traffic & Transport - No representations have been received
Ward Councillors - No representations have been received

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Publicity -The application has been advertised as a major development and as one affecting the setting of a listed building. Occupiers of buildings adjacent to the site were also notified. Nine objections have been received from occupiers/owners of Cambridge Mill. The concerns can be summarised to include:

- Loss of light to Cambridge Mill
- Proximity of extension to existing building
- Loss of privacy
- Reduction in property value
- Increase in noise from premises
- Increased use of courtyard causing disturbance
- Construction noise and disruption through out construction
- Anti-social behaviour of students

Issues

Unitary Development Plan

The proposed development would be consistent with UDP Policies H2.2 & H2.7 (Housing), T2.6, T3.1 and T3.7 (Transport), DC7.1 (New Housing Development), DC9.1 (New Commercial and Industrial Development - Access for Disabled People), DC19.1 (Listed Buildings) and DC26 (Development and Noise). The proposal is also consistent with the Small Area Framework for this area (policy RC20 - Area 20).

The scale and form of the development - The courtyard is currently inaccessible and unused. The proposed use is compatible with other residential uses in the vicinity. The building would not have a significant impact on the setting of the adjacent listed building, given the separation and the difference in its appearance and massing. The proposed design of the building is contemporary and it is considered that the height, overall size, form and design of the scheme is appropriate and would sit well within its context.

Vehicle Access and Servicing - This is considered to be acceptable.

Access - Full access is provided to all parts of the development. Access to the extension would be via the front entrance of the Village entrance and through the main building.

Parking - Full parking provision for the new apartments are available within the basement should it be required. Secure cycle parking facilities are also available.

Sustainability - A condition requiring the development to achieve a 'very good' BREEAM (Building Research Establishment Environmental Assessment Methodology) rating will be applied to any approval granted.

Amenity & comments on representations

The applicant's agents have commented on the issues raised by the adjacent occupiers. As originally submitted, it was proposed to have the extension located centrally with the courtyard. As amended, it is located to the west away from Cambridge Mill. It is also located behind the northern line of Cambridge Mill and to the north. As such, the existing and substantial courtyard to the rear of Cambridge Mill is unaffected.

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The overlooking distances within the courtyard have been fully considered. All of the proposed bedroom windows are orientated away from the aspect of Cambridge Mill and as such there would be no direct overlooking. The distance across the courtyard from the rear of Cambridge Mill would remain as existing (26m).

In terms of loss of sunlight, the proposed extension is located to the north of Cambridge Mill. As such the sun path and shadowing from the extension would not affect the occupants of Cambridge Mill. The applicant's agents have provided a sunlight study showing the effect of the sun with and without the proposed extension. This concludes that there would be no additional detrimental impact from the proposal in terms of loss of sunlight/daylight to Cambridge Mill.

The Head of Environmental Health has stated that provided that acoustic glazing is implemented as detailed in the Noise Assessment and other supporting information then the scheme will be acceptable and this will be a condition of any consent granted. This condition would deal with any potential amenity problems in terms of any impact that the proposed development may have on the occupiers of adjacent premises.

The applicant's agents have advised that management structures are in place to address noise/disturbance from occupiers of Student Village should it occur and that the contractors for the development will sign up to good practise schemes to minimise disruption during construction. Whilst it is acknowledged that the proposed development would give rise to a level of disturbance to the adjacent occupiers, excessive noise would be a matter more properly dealt with under Environmental Health powers than by the planning process.

Residents have raised concerns regarding the impact of the proposal on property values. However, local authorities are informed that it is not for the planning system to protect the private interests of one person against the activities of another. The material issue is the impact of the proposal on the locality and on amenities that ought to be protected.

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 Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents 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. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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Recommendation **APPROVE**

on the basis that the proposal accords with the development plan, in particular policies H2.2, H2.7 1, T2.6, T3.1, T3.7, DC9.1, DC19.1 & RC20 of the City Council's Unitary Development Plan and there are no material considerations of sufficient weight to indicate otherwise and subject to the following conditions:

Conditions and/or Reasons

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 residential accommodation hereby approved shall be acoustically insulated in accordance with the measures set out in the ADT report reference 1127 dated 24th April 2006 before use of the premises first commences.

Reason - To safeguard the amenities of future occupiers of the premises and because of the proximity to of the development to heavy traffic loads on adjacent highways.

3) The refuse storage and collection areas shown on drawing 7878-5 shall be made available for use before the building is first occupied. Such provision shall be retained thereafter.

Reason - In the interests of amenity and public health.

4) Construction of the works hereby approved by this permission shall not take place until samples and specifications of the materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed 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.

5) Service vehicles movements, including waste collections shall not take place outside of the following hours: 07.30 to 20.00, Monday to Friday, 09.00 to 18.00 Saturdays, and no similar activity on Sundays and Bank Holidays.

Reason - In the interests of residential amenity.

6) The development hereby approved shall incorporate measures to minimise the environmental impact and energy use of the building and shall seek to achieve a Building Research Establishment Environmental Assessment

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Methodology (BREEAM) rating of at least 'very good'. Written confirmation of this rating is to be submitted to and approved in writing by the City Council as local planning authority before the development is occupied, unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of minimising the impact on the environment of the building, pursuant to adopted Manchester Unitary Development Plan policy E1.6, Regional Spatial Strategy policy ER13 and Planning Policy Statement 1 (PPS1).

7) The consent hereby granted is for a development that has full access into and throughout all areas of the building for members of the public, including those whose mobility is impaired.

Reason - For the avoidance of doubt and so as to provide direct access for disabled members of the public and to be in line with guidance in UDP Policy DC9.1 'New Commercial and Industrial Development - Access for Disabled People'

8) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with drawing 7878-5. 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.

9) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

Reason

To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud.

10) The development hereby approved shall be carried out in accordance with the

Site edged red plan stamped as received by the Local Planning Authority on 30.09.05 and drawings numbered

7878/01C	Proposed ground floor plan.
7878/02E	Proposed basement floor plan.
7878/04A	Proposed first floor plan.
7878/05	Existing ground floor plan.
7878/06	Existing plan - typical floors 1 - 7.
7878/07	Existing basement plan.
7878/09	Existing elevations courtyard.
7878/10	Existing plan 8th floor.
7878/11B	Proposed plan 8th floor.
7878/12D	Proposed west elevation, section A-A & section B-B.

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7878/13A Proposed elevations North, East and South.

ADT report reference 1127 dated 24th April 2006
Points 2 to 8 of the Howard & Seddon letter dated 06.012.05

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: 077144/FO/2005/C3 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 all held by the Planning Division.

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

Flat 1-28, 5 Cambridge Street Central Manchester M1 5GF
Flat 34-35, 5 Cambridge Street Central Manchester M1 5GF
Flat 29-46, 5 Cambridge Street Central Manchester M1 5GF
The Salvation Army 1 Wilmott Street Central Manchester M15 6BD
Chorlton Mill B1-B63 Cambridge Street Central Manchester M1 5BY
Chorlton Mill G1-G93 Cambridge Street Central Manchester M1 5BY
Macintosh Village Cambridge Street Central Manchester M1 5GF
Chorlton Mill 101-111, 3 Cambridge Street Central Manchester M1 5BY
Chorlton Mill 201-218, 3 Cambridge Street Central Manchester M1 5BY
Chorlton Mill 301-318, 3 Cambridge Street Central Manchester M1 5BY
Chorlton Mill 401-416, 3 Cambridge Street Central Manchester M1 5BY
Chorlton Mill 501-513, 3 Cambridge Street Central Manchester M1 5BY
Chorlton Mill 601, 3 Cambridge Street Central Manchester M1 5BY
Cambridge House Flat 1-30 Cambridge Street Central Manchester M15 6BP
25 Chester Street Central Manchester M15 6JX
27 Chester Street Central Manchester M15 6JX
29 Chester Street Central Manchester M15 6JX
33 Chester Street Central Manchester M15 6JX
New Medlock House F132-157, 31 Chester Street Central Manchester M15 6JX
New Medlock House A1-A23, 35 Chester Street Central Manchester M15 6JX
New Medlock House B24-B51, 37 Chester Street Central Manchester M15 6JY
New Medlock House C52-C78 39 Chester Street Central Manchester M15 6JY
New Medlock House D79-D100 41 Chester Street Central Manchester M15 6JZ
New Medlock House E101-E131 43 Chester Street Central Manchester M15 6JZ
Lockes Yard Apartment 1-46, 4 Great Marlborough Street Central Manchester M1 5AL
Redrow Commercial Developments Ltd 60 Oxford Street Central Manchester M1 5EE
The Foundry 2a Apartment 1-68 Lower Chatham Street Central Manchester M1 5TF
101-122 11 Whitworth Street West Central Manchester M1 5DB
201-222 11 Whitworth Street West Central Manchester M1 5DB
301-322 11 Whitworth Street West Central Manchester M1 5DB
G01-17 11 Whitworth Street West Central Manchester M1 5DB
401-422 11 Whitworth Street West Central Manchester M1 5DB
501-522 11 Whitworth Street West Central Manchester M1 5DB

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601-621 11 Whitworth Street West Central Manchester M1 5DB
701-703 11 Whitworth Street West Central Manchester M1 5DB
801-805 11 Whitworth Street West Central Manchester M1 5DB
901-904 11 Whitworth Street West Central Manchester M1 5DB
1001-1002 11 Whitworth Street West Central Manchester M1 5DB
1101 11 Whitworth Street West Central Manchester M1 5DB
Apartment 1-24 1 River Street Central Manchester M1 5BB
Jonathan Oakes Photographer 5 Hulme Street Central Manchester M1 5GL
5a Hulme Street Central Manchester M1 5GL
Manchester Metropolitan University John Dalton Building Chester Street Central Manchester M1 5GD
Sallys Yard Flat 1-10 9 Hulme Street Central Manchester M1 5GL
Manchester Pakistani Welfare & Information Centre Great Marlborough Street Central Manchester M1 5NJ
Tarameen Ltd Great Marlborough Street Central Manchester M1 5NJ
Danebridge Engineering Ltd 3 Lower Chatham Street Central Manchester M1 5QL
Universities Internal Audit Consortium 8 Great Marlborough Street Central Manchester M1 5NN
Blocks B, C & D Student Village Lower Chatham Street Central Manchester M1 5SS
Student Village Administration Student Village Lower Chatham Street Central Manchester M1 5SX
Sundream Enterprises 8 Chester Street Central Manchester M1 5GE
2-4 Lower Ormond Street Central Manchester M1 5QF
6 Lower Ormond Street Central Manchester M1 5QF
8 Lower Ormond Street Central Manchester M1 5QF
Simon Fenton Partnership 8 Great Marlborough Street Central Manchester M1 5NN
Cleanflow 5 Lower Chatham Street Central Manchester M1 5QL
Mowlem 8 Lower Ormond Street Central Manchester M1 5QF
O'Shea's Chester Street Central M1 5SH

Representations were received from the following third parties:

Flats 3, 17, 18, 22, 35 & 43 Cambridge Mill 5 Cambridge Street Central Manchester M1 5GF
56-59 Bloom Street
Flat 3, Chesterton Road, London re flats 8 & 15 Cambridge Mill
Solitaire Property Management, Leicester re 1 to 46 Cambridge Mill

Relevant Contact Officer: : Jay Patel
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