

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
085325/FO/2007/C3	13th Jun 2008	21st August 2008	City Centre Ward

**Proposal** Erection of 4 buildings ranging from 4 to 25 storeys, comprising 232 residential apartments, with ground floor commercial floorspace (Use Class A1, A2 and B1), basement car parking and associated access and landscaping

**Location** Chapeltown Street/Great Ancoats Street, Manchester, M1 2AT,

**Applicant** Goldlodge Properties Ltd, C/o Agent

**Agent** GVA Grimley Limited 81 Fountain Street, Manchester, M2 2EE

### **Description**

The application relates to 0.51 hectare vacant site bounded by Chapeltown Street to the south, Great Ancoats Street to the east, the Ashton Canal and existing residential development of Piccadilly Village to the north, and the residential block of John Smeaton Court to the west. There are two listed structures in the vicinity: Lock No. 1 of the Ashton Canal and Crusader Works, both Grade II listed.

Permission was granted in 2004 for 114 apartments (ref. 070325/FO/2003/C3) and the applicant has subsequently acquired the site. The current proposals were the subject of extensive pre-application discussions between the applicant and nearby residents. Permission is now sought for 232 apartments in four stepped buildings, rising from the western end of the site adjacent to John Smeaton Court to Great Ancoats Street, as follows:

Building A – 4/5 storeys – 19 apartments

Building B – 5/6 storeys – 31 apartments

Building C – 7/8 storeys – 43 apartments

Building D – 23/25 storeys – 139 apartments

The apartments comprise 31% with one bedroom, 59% with two bedroom and 9% with 3 bedrooms.

The proposal includes a commercial unit (retail/office use) in the ground floor of the building fronting Great Ancoats Street, and 98 underground parking spaces accessed from Chapeltown Street including 5 disabled-use spaces. In order to make up for the shortfall in on-site parking spaces, a Framework Travel Plan has been submitted with the application that includes a commitment to promote car club use to residents.

The north east facing elevation of each block incorporates a 'solid' element extruded from the façade composed of metal panels of three different colours forming a random pattern. This is framed by a glass element wrapping up each side and over the top of the building. On the south west elevations, the building incorporates the same metal panel system but is framed by a rendered 'box'. Each block sits on a masonry base of two storeys.

The elevations facing Chapeltown Street and Ashton Canal would be primarily constructed from glass, creating feature elevations to these aspects. On the Ashton Canal elevations, the glass facades would offer passive surveillance over the footpath on the Piccadilly Village side of the site.

Between each of the blocks, landscaped open space would be provided over two levels. The lower of the two levels would front the Ashton Canal and incorporate a publicly accessible route alongside the canal linking Great Ancoats Street to the existing canalside pedestrian route past John Smeaton Court. The upper level would be securely enclosed for the private use of residents of the scheme and would be accessed through gates along Chapeltown Street.

Due to the height of the proposed Block D (23/25 storeys), an Environmental Impact Statement has been submitted with the application.

### **Consultations**

**Head of Engineering Services** - No objections, subject to conditions.

**Head of Environmental Health** - No objections, subject to conditions.

**Environment Agency** – No objections.

**Greater Manchester Police** - No objections.

**CABE** – No comments.

**GMPTE** – No objections as the site is located in a highly accessible location and recommends that a condition be attached requiring a Travel Plan be produced by the developer.

**British Waterways** – No objections.

**Greater Manchester Police** – No objections.

**Natural England** – No objections.

**Piccadilly Village Residents Association** – No objections.

**Publicity** - The application has been advertised as a major development, as affecting the setting of listed buildings, as affecting a public right of way, and as an application of public interest.

It has also been advertised as a Environmental Impact Assessment application, and the statutory EIA-related organisations have been consulted.

Occupiers of buildings surrounding the site were consulted on the proposal. Three responses have been received from nearby residents, one in support of the application and other objecting to the proposed height of Block D and the amount of parking being provided, but not the principle of development.

### **Issues**

**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 1999

and Circular 2/99 ('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:

- Regeneration and socio-economic impact;
- Urban design and visual impact (i.e. townscape and views);
- Historic environment (i.e. archaeology and heritage context);
- Microclimate (i.e. ground-level wind conditions, sunlight/daylight);
- Local natural environment (i.e. ecology, hydrology, soils and groundwater);
- Transport;
- Air quality;
- Noise;
- TV reception;
- Cumulative impacts (i.e. on local residents and pedestrians).

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.

**Regional Spatial Strategy** - The scheme is consistent with RSS policies DP1, which gives priority to the development of sites in urban areas, DP3, which promotes good design, and SP1, which promotes development in the Regional Poles.

**Unitary Development Plan** - The proposed use for the site is consistent with UDP policies that promote regeneration within the City Centre, building on the regeneration that has already taken place within the nearby Piccadilly Basin area and Ancoats, and stimulating investment and environmental improvements planned to take place there. The scheme is considered to be consistent with the adopted Manchester Unitary Development Plan, particularly policies E1.1 'Air Pollution', E1.5 'Energy conservation', E3.5, 'Secure Environment', RC4 'Environment', RC7 'Gateways', R1.1 'Regeneration', DC9.1 'New Commercial & Industrial Development - Access for Disabled People', DC14.5 'Shop fronts and signage', DC19.1 'Listed Buildings' and RC20 Area 13 'Small Area Proposals'.

**The scale and form of the development.** - In terms of making a positive contribution to the area the proposed siting of the four blocks of the development, as well as the development's scale, height, physical form and architectural detail are important. The design of the scheme would provide a high quality development on the site that it is felt would fit in well with the existing urban pattern of the adjacent area on this relatively narrow site between Chapeltown Street and the Ashton Canal. The proposed development would reinstate the street edge and the tall element is proposed appropriately on the Great Ancoats Street frontage. It is considered that the building would sit well within its context and contribute to the sense of variety in building types in the area.

The proposed blocks would be higher than their immediate neighbours and this is particularly so along Great Ancoats Street where some of the existing buildings are 3/4 storeys. However, this needs to be considered in the context of a dense urban setting where taller buildings can be located. The proposal is

also characteristic of the interesting relationships that can be achieved by siting taller buildings adjacent to smaller neighbours, as has historically occurred in many parts of the city centre.

**The impact of the building on nearby listed buildings and residential amenity** - The applicant has submitted information that shows views of the proposed scheme in context with the street scene. It is considered that the proposed contemporary design would sit well within its context and not adversely affect the setting of the nearby listed structures.

Blocks A, B and C, which are adjacent to John Smeaton Court and face James Brindley Basin across the canal, have been kept to relatively low heights to relate positively to these nearby residential developments and to Crusader Works (Grade II listed). In addition, these blocks would be set back from the canalside thereby minimising shadowing on the canal and adjacent Piccadilly Village apartments. Only Block D is substantially taller than its surroundings, but would have a relatively slim profile and would be sited adjacent to the commercial units fronting Great Ancoats Street. This would minimise the impact from shadowing on adjacent properties. On balance, the scheme's overall impact on the amenity of nearby residents is therefore not considered to be adverse.

The Piccadilly Village Management Company (PVMC) has confirmed support of the proposal, welcoming the pre-application discussions that took place between the developer and the PVMC.

**The scheme's contribution to regeneration** - It is felt that the proposal would contribute positively to the regeneration of the wider Piccadilly Basin/Ancoats area and complement the work that has already taken place there. The ground floor commercial unit would contribute to activity along Great Ancoats Street and the development as a whole would be complementary to the wider regeneration of the area, involving comprehensive high quality development of a prominent vacant site.

**Parking/Traffic** - The site is highly accessible by a variety of public transport modes and 98 parking spaces are proposed. The application also incorporates a Travel Plan including measures to provide for alternatives to private transport including support for the City Car Club. Should the application be approved, it is recommended that a condition be attached to ensure that alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) are put in place for the needs of future residents whom may need to use a car.

**Access** - Full access is provided to all parts of the development.

**Crime and Disorder** - It is considered that the redevelopment of the site would be beneficial to the area in terms of the increase in activity. The applicants have been involved in pre-application discussions with Greater Manchester Police and have submitted a Crime Impact Assessment. It should also be noted that a condition relating to 'Secured By Design' would be attached to any consent granted.

**Affordable housing** - There is no specific affordable housing element to the proposals. The applicant has submitted a justification statement, stating that the application was submitted in advance of current City Council affordable housing policy so the costs of providing affordable housing were not taken into account in the purchase price. The current scheme is stated to be financially marginal, and the financial impact of providing affordable housing would fundamentally affect scheme viability.

It is therefore considered that due to these mitigating circumstances, it is acceptable for the development not to include any specific element of affordable housing.

**Sustainability** – The applicant has indicated a commitment to undertake an environmental assessment of the site using the Building Research Establishment's Eco-Homes Assessment (BREEAM) tool and aims to achieve a 'very good' rating.

### **Conclusion**

On balance, the scheme is considered acceptable in terms of design, impact on amenity and other relevant criteria. However, given that no affordable housing has been included and the scheme is marginal, it is recommended that the time period within which the permission must be implemented be reduced to one year from the date of the permission.

In addition, the applicant has agreed to make a financial contribution towards residential infrastructure in the City Centre by entering into a section 106 agreement.

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

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

### **Recommendation**

The Council has taken the environmental information (as defined in the Environmental Impact Assessment regulations) into consideration and the proposal is in accordance with the UDP policies identified in this report. The Head of Planning therefore recommends that the Committee be **MINDED TO APPROVE** planning application **085325/FO/2007/C3** on the basis that the proposal accords with the development plan, in particular particularly policies E1.1 'Air Pollution', E1.5 'Energy conservation', E3.5, 'Secure Environment', RC4 'Environment', RC7 'Gateways', R1.1 'Regeneration', DC9.1 'New Commercial & Industrial Development - Access for Disabled People', DC14.5 'Shop fronts and signage', DC19.1 'Listed Buildings' and RC20 Area 13 'Small Area Proposals' of the City Council's Unitary Development Plan and policies DP1, DP3, SD1, UR1 and UR4, of the Regional Spatial Strategy (RPG13), policies DP1, MCR1, MCR2 and RDF1 of the Draft Regional Spatial Strategy, guidance contained in PPS1 and there are no material considerations of sufficient weight to indicate otherwise, subject to the following conditions and subject to the applicant entering into a section 106 agreement with regard to making a financial contribution towards residential infrastructure in the City Centre:

### **Conditions and/or Reasons**

1) The development must be begun not later than the expiration of one year 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 ground floor commercial unit hereby approved shall not be occupied unless and until the hours of opening have been submitted to and approved in writing by the City Council as local planning authority.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies H2.2 and DC26 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas 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 shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

4) Before the development commences a scheme of acoustically insulating the proposed residential accommodation against noise from local highways, the proposed Metrolink and the proposed commercial unit shall be submitted to and approved in writing by the City Council as local planning authority. The scheme of acoustic insulation should include the provision of mechanical ventilation for properties overlooking or adjacent to Great Ancoats Street that will permit adequate ventilation of the properties in warm weather without the need to open windows. The approved noise insulation scheme shall be completed before any of the apartments are occupied.

Reason - To protect the amenity and safety of the occupants of the premises once the development hereby approved is occupied, pursuant to policies H2.2 and E1.4 of the Manchester Unitary Development Plan.

5) Any externally mounted ancillary plant or equipment shall be acoustically treated in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use first commences. The scheme shall be designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location. The equipment shall be installed and maintained in accordance with the approved scheme.

Reason - In the interests of residential amenity, pursuant to Manchester Unitary Development Plan policy H2.2.

6) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07.30 to 20.00, Monday to Saturday, with no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In the interests of residential amenity, pursuant to Manchester Unitary Development Plan policy H2.2.

7) 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 order to protect the amenity of local residents, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

8) Before the development hereby approved commences a report to assess the likely extent of any ground contamination and/or ground gas being present on or affecting the site shall be submitted to and approved in writing by the City Council as local planning authority. Any site investigations shall then be carried out according to a scheme to be agreed in advance with the City Council as local planning authority and implemented in accordance with the approved scheme. That scheme shall include a requirement to provide the City Council as

Local Planning Authority with a written report of the results of the investigations. In the event that either the assessment report or the site investigation report reveal that the land is contaminated or that ground gas is present, a scheme for remediating the land shall be submitted to the City Council as Local Planning Authority no later than six months from the date of the report and the scheme for remediating the land shall be approved in writing by the City Council as Local Planning Authority and implemented in full before the development is first occupied.

Reason - To ensure that the presence of or the potential for any contaminated land/ground gas is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Manchester Unitary Development Plan policies H2.1, H2.2, E3.1 and E3.2.

9) 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 (including the roof) 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 and elevations 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, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

10) The wheels of contractors' vehicles leaving the site shall be cleaned and the access roads leading to the site swept 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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) The details of an emergency telephone contact number for a person responsible for the site shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

12) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

13) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' and at least three star sustainability rating under the code for sustainable homes for those elements of the development that are residential in nature. A post construction review certificate, which confirms a rating of at least 'very good', shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

14) Within six months of any part of the development first being occupied, a repaving strategy, including natural stone and other high quality materials, for the public footpaths around the site shall be submitted to and approved in writing by the City Council as local planning authority. The development shall thereafter be carried out in accordance with the approved scheme.

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 Manchester Unitary Development Plan policy H2.2.

15) The applicant shall, with regard to television reception in the area containing the application site, provide the City Council as local planning authority with studies that:

a) Measure the existing television signal reception within the potential impact area, as identified in the Taylor Bros TV Reception report, and within an area of 500 metres radius surrounding the building, before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Independent Television Commission, and shall include an assessment of the survey results obtained.

b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified

in the survey carried out in (a) above. Unless otherwise agreed in writing by the City Council as Local Planning Authority, the measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception, as advised in Planning Policy Guidance Note 8: Telecommunications, pursuant to Manchester Unitary Development Plan policy H2.2.

16) Before the development hereby approved commences, a shop front and signage design strategy for the ground floor commercial unit, including a temporary hoardings design strategy, shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To protect the visual amenity of the development, pursuant to adopted Manchester Unitary Development Plan policy H2.2.

17) No development shall commence unless and until a scheme that will provide for the needs of future residents whom may wish to have the use of a motorcar in respect of their domestic needs which shall include details of the arrangements to be put in place and shall also identify the parties who will be responsible for managing the scheme, has been submitted to and approved in writing by the City Council as local planning authority. Any scheme approved in discharge of this condition shall be operational at all times that any residential units are occupied.

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

18) No part of the development hereby granted permission shall be commenced unless and until a survey of the site in a form and carried out by a person previously approved in writing by the local planning authority has been carried out and demonstrates to the local planning authority's written satisfaction that no protected species inhabit the site. Should the survey reveal the presence of any protected species, a scheme for the protection of their habitat shall be submitted to and agreed in writing by the City Council as local planning authority before the development commences, and implemented in full in accordance with the approved details and to a timetable agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with Policies E2.2, E2.3 and E2.4 of the adopted Manchester Unitary Development Plan.

19) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as local planning authority;

\* Leach Rhodes Walker Architects drawings ref. L(00)76D, L(00)77D, L(00)78D, L(00)79D, L(00)80D, L(00)81D, L(00)82D, L(00)83D, L(00)84D, L(00)129, L(00)130, L(00)131, L(00)132, L(00)107A, L(00)128, L(00)36B, L(00)108, L(00)109, L(00)110, L(00)111, L(00)112, L(00)58C, L(00)59C, L(00)60C, L(00)61C, L(00)62C, L(00)63C, L(00)64C, L(00)65C, L(00)66C, L(00)67C, L(00)68C, L(00)69C, L(00)70C, L(00)71C, L(00)72C, L(00)73C, L(00)75B, L(00)74D, L(00)106A, L(00)124A, L(00)126A, L(00)127A, L(00)123A, L(00)125A;

\* Leach Rhodes Walker Architects document titled 'Chapelton Street, Ancoats – Design and Access Statement – Version 2' dated November 2007;

\* Ove Arup & Partners Ltd report titled 'Chapelton Street, Manchester - Environmental Standards Statement' dated December 2007, ref. 123447-00;

\* JMP Consulting document titled 'Piccadilly Village Phase II, Gt Ancoats Street / Chapelton Street - Transport Assessment' dated November 2007 ref. M077067;

\* JMP Consulting document titled 'Piccadilly Village Phase II, Gt Ancoats Street / Chapelton Street – Framework Travel Plan' dated November 2007 ref. M077067;

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

### **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: 085325/FO/2007/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/notified on the application:**

Environmental Health  
Contaminated Land Section  
Engineering Services  
Director Of Housing  
Environment & Operations (Refuse & Sustainability)  
Transport Policy Unit  
Environment Agency  
Greater Manchester Police  
Commission for Architecture and the Built Environment (CABE)

GMPTE

British Waterways

Greater Manchester Police

Natural England

Piccadilly Village Residents Association

18 Sparkle Street

Gateway Industrial Estate, Chancel Place and nos. 26-32 Store Street

35-39, 54, 62, 64, 66-72, 67 Chapeltown Street

1, 5, 7 Adair Street

1 Churchgate Buildings

Sterling House, Betley Street

2 & 52 Heyrod Street

1 Portugal Street East

Network Rail Ltd, 4 Travis Street

3 & 37 Longacre Street

Victoria House, Ash Of Ancoats, Outram House, and nos. 140 & 166-174, Great Ancoats Street

1-29 William Jessop Court, Piccadilly Village

1-34 James Brindley Basin, Piccadilly Village

1-64 Thomas Telford Basin, Piccadilly Village

1-27 John Smeaton Court, Piccadilly Village

Blocks A & B and no. 2, Pollard Street

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

Occupier of 35 Chapeltown Street

Occupier of 61 Thomas Telford Basin, Piccadilly Village

Occupier of 64 Thomas Telford Basin, Piccadilly Village

**Relevant Contact Officer :** David Robinson  
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