

Application Number	Date of Appln	Committee Date	Ward
087073/FO/2008/N1	28th Nov 2008	12th Feb 2009	Ancoats And Clayton Ward

Proposal Erection of 7 storey building to accommodate 15 no. student apartments, creating a total of 80 bedrooms, basement car parking 208sqm of commercial space (Use Class A 1 shop) at ground level and ancillary amenity space and boundary treatment following demolition of Public House

Location Former Hat And Feathers Public House , 39 Mason Street, Ancoats, Manchester, M4 5FX

Applicant Trustees Linson Construction Ltd Pension Fund , Abbeywood , Abbeylane, Delamere, Cheshire, CW8 2HW

Agent Mr Najib Gedal, 4 Rutters Lane, Hazel Grove, Stockport, Cheshire, SK7 5AY

Description

The application site is situated on Mason Street Ancoats, just outside the City Centre. The site is bounded by roads on 3 sides, these being, Marshall Street to the north, Mason street to the north east, and Addington Street to the south west. The site is surrounded by a mix of building types, from Victorian warehouses and workshops to more recent residential development, these varying in height from 2-4 storeys to 19 storeys. The site is currently occupied by a vacant public house known as the Hat and Feathers, which is now vacant, and has been the subject of fire damage.

Planning permission is sought for a mixed use scheme comprising the erection of a seven storey building to include 15 student apartments comprising a total of 80 bedrooms. The layout would have 3 apartments on the 1st 2nd 3rd and 4th floors with 2 apartments on the 5th floor and 1 apartment on the 6th floor. In order to provide an active frontage there is 208 square metres of retail use class A1 proposed. The proposed parking for the units is in the form of a 2 tier basement car park providing a total of 18 spaces, cycle spaces are also accommodated within the building. The vehicular access into the proposal is proposed off Marshall Street, providing a route into the basement via a car lift. Access to the commercial units is directly from the street. The applicant is looking to investigate the possibility of photovoltaic panels to the roof. There is a central atrium proposed which provides amenity space to the ground and roof level. At ground there would be planters with a water feature, and opening out at roof level is external amenity space with a gym on level 6.

The supporting documentation submitted as part of the application includes a Design and Access Statement, including Disabled Access Statement, Ecology Statement, Crime Impact Assessment, Acoustics Report, BREEAM Feasibility Study, Transport Study, Waste Management Strategy and Flood Risk Assessment.

Consultations

Local residents and businesses - 2 letters of objection have been received the main comments of which are outlined below:

1. As a new tenant in the nearby Skyline building, the appeal was the low level restriction to view and noise level. If the application was to be allowed this would dramatically affect both of these aspects.
2. Student accommodation would lessen the quality of living within these apartments. Having a stressful job, I appreciate a quiet evening. Skyline take into account that people retire early and take action if noise is excessive, that would cert certainly be compromised.
3. There have been all night raves at the skate park, and with student accommodation this would become a more regular occurrence. I realise that this is a City Centre property, but being overlooked by rowdy students is totally objectionable.
4. I have lived near students previously who fly posted everything in sight, stood on street corners and played loud music hours after arriving back to their student accommodation.

One further letter has been received from the manager of the County Records Office, who has requested that the applicants be made aware of the fact, that, as a public service provider, access to the County Records facility must be made available at all times, particularly during construction. This request has been passed onto the applicant, and the applicants contact details have been forwarded onto the manager of the County Records office.

Chief Executive's Landscape Practice Group - No objections to the proposal subject to the attachment of conditions relating to soft and hard landscaping.

Engineering Services - The proposal satisfies the car parking requirement for student accommodation, this being 20% (16 spaces). However there should be no change to conventional accommodation, as the ratio of parking to units would need to be considerably higher. A travel plan should be submitted by way of the attachment of a condition to any approval granted. As the basement is adjacent to the highway MEDC bridges section needs to be consulted re temporary and permanent structural support works. The narrow rear access road identified for vehicular servicing will only accommodate light vans. Refuse and larger servicing will have to be via other perimeter streets. Full details of a servicing strategy are required as a condition to any consent granted. The original submission proposed 8 parking spaces in the basement, these being accessed via a ramp the gradient of which was 1:6, this was considered as being too steep. This has now been replaced by a car lift system, which will now also allow for the provision of a sub basement level, which has increased the parking provision to 18 spaces. This however results in access by a very narrow left turn, which would mean vehicles using the opposite side of the street to manoeuvre. The applicant is looking to address this issue and any comments on the revised proposal will be reported to Committee.

The applicants must also be made aware that when vehicles are servicing the commercial premises they should observe the traffic road orders. It is suggested that a servicing plan be produced.

Environmental Health - No objections to the proposal subject to the attachment of conditions relating to Deliveries, Fumes, Hours of opening and servicing, external lighting scheme, noise- acoustic insulation of the proposed residential accommodation, noise- external equipment insulation and refuse storage and segregated waste. They have also requested the inclusion of informatives relating to construction works, and licensing.

Contaminated Land Section - No objections in principle to the proposal. However it is recommended that an appropriate condition relating to the submission of a 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.

Director Of Housing - No representations received

North Manchester Regeneration Team - No objections in principle to the retail / leisure uses creating an active frontage at ground floor with student accommodation above. The general massing and elevation designs are appropriate for this location.

Greater Manchester Police - This scheme has been the subject of pre application discussions with the unit and subsequently a crime impact statement. The Architectural Liaison Unit support the proposal subject to the measures on page 7 of the report relating to the secondary entrance on Marshall Street being addressed, and the measures within the Crime Impact Statement being implemented. The applicant is to address the issue raised by the Architectural Liaison Officer, and this will be reported to Committee.

University Accommodation Office - No representations received

Greater Manchester Ecology Unit - The ecological assessment of the site identifies that there are no features of ecological interest within the development site. The application was supported by a bat survey that has been undertaken by a licensed and experienced bat consultant, which found that there was no evidence of bats on the site at time of survey and concluded that there was low potential to support bats. In conclusion there does not appear to be any ecological issues associated with the proposals.

Natural England - No representations received

Green Spaces - No objections to the proposal.

Issues

Unitary Development Plan (UDP) - There are no site specific policies in the UDP. However, when dealing with an application of this nature consideration is given to the following policies:

Policy E1 advises that major new development will be required to be located where it can be easily served by public transport; policy E3.3 advises that the Council will seek to upgrade the appearance of the City's major radial and

orbital roads and rail routes and policy E3.5 states that the Council will promote measures, which will lead to a safer environment for all people living in and using the City.

Policy S2.1 advises that the Council recognises the importance of good quality local and convenience shopping facilities within easy reach of people's homes and will ensure that all parts of the City are well provided for and that facilities are accessible to everyone. New shops to meet local need will be encouraged. The proposed facilities within the proposed development would accord with this policy in that it would provide local shopping provision for the future occupiers of the proposed development.

Policy S2.4 advises that new shopping facilities should not significantly affect the amenities of nearby residential areas particularly through increased traffic congestion, noise and pollution from cars. This scheme would involve the re-development of a site for a mix of uses including an element of retail. Given access would be from existing roads which currently serve the site, it is considered that the proposed development would not significantly affect the amenities of the future nearby residential communities.

Policy R1 states that the Council will pursue an area based regeneration strategy working with local communities, public sector and the private and voluntary sectors and Central Government in order to achieve a holistic approach to dealing with economic, social and environmental problems. The scheme accords with the objectives of policy R1.

Policy H2.2 states that the City Council will not normally allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy H2.7 advises that new housing schemes will be expected to be of a high standard of design and make a positive contribution towards improving the City's environment. They should not create areas of incidental open space outside the curtilage of dwellings unless there are proper and ensuring arrangements for its maintenance. The scheme is in accordance with Policy H2.7 in that the development is of a high standard of design, and maintenance regimes are in place for the apartments.

Policy HC1 states that in deciding its attitude to proposals within Harpurhey, Lightbowne and Collyhurst, the Council will have regard to the general policies in Part 1 of the plan in order to:-

- a) secure the development of Central Park;
- b) improve the quality of the local environment;
- c) encourage new housing development and improve the quality of the existing housing stock;
- d) provide adequate and accessible community facilities for all members of the community, particularly those with special needs;
- e) create employment opportunities;
- f) improve accessibility to employment and shopping facilities;
- g) provide new and affordable housing for local people;

- h) target public and private sector resources into the area in order to tackle problems of low quality housing, poor environment and derelict land.
- i) recognize their differing needs in designing new facilities.

Planning Policy Statement No.1 (PPS1): Creating Sustainable Communities - PPS1 encourages the promotion of urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed-use developments that create linkages between different uses and create more vibrant places.

The principle of the development proposed is clearly in accordance with PPS1.

Planning Policy Statement No. 3 (PPS3): Housing - This guidance strongly encourages the re-use of previously developed vacant or under utilised land and buildings and lends support to new housing within urban areas at high densities that are in close proximity to existing services and facilities and public transport provision.

The proposal accords with this guidance in that it would create a dense residential development of 15 apartments, comprising a total of 80 bedrooms as part of a mixed-use development on a brown field site on the fringe of the City Centre.

Planning Policy Statement Note 6 (PPS6): Town Centres and Retail Development - This government guidance on retail development post dates adoption of the Unitary Development Plan. It seeks to promote new retail proposals within existing town centres and other retail centres identified in development plans, and to protect the vitality and viability of existing retail centres. This development is located to the north of the City Centre, but would only introduce a maximum of 208 square metres of retail floor-space. This development would be ancillary to the principle use of the site. As such the scheme clearly accords with government guidance in terms of location.

Planning Policy Guidance Note 8 (PPG 8) Telecommunications - The construction of new buildings or other structures, such as wind turbines, can interfere with broadcast and other telecommunications services, and the possibility of such interference can be a material planning consideration.

Planning Policy Guidance Note No.24 Planning and Noise - A noise survey has been carried out to determine existing noise levels around the site, which identifies issues created by existing traffic noise. In addition patron noise from the potential Class A1 may require future control in terms of the hours of operation.

Regional Planning Guidance for the North West - Policy UR1 identifies the sustainable regeneration of the Region's urban areas as being a clear priority, and policy UR4 establishes targets for the recycling of land and buildings. It sets a target of achieving 90% in Manchester between 1996 and 2016. Policies DP1, Economy in the Use of Land and Buildings, DP2, Enhancing the Quality of Life, DP3, Quality in New Development, are also relevant.

Collyhurst Local Plan - The site is within the City Fringe Neighbourhood of the Collyhurst Local Plan which was adopted in December 2006. The Local Plan seeks that development within the City Fringe Neighbourhood, will generate high density, high quality mixed use development providing a variety of residential and business accommodation, encourage housing development, which will predominantly be apartments, to include a mix of tenure and prices as part of affordable housing options. Nurture the growth of the successful creative and media cluster in the Northern Quarter through providing suitable accommodation for creative and independent industries. Generate active frontages at ground floor level. This is particularly important along the Rochdale Road and the other key arterial roads within the neighbourhood. Explore the potential of exploiting the historic character of Mason Street to form a cluster of shops cafes restaurants and creative workspace that connects the Northern Quarter. The Local plan will also seek to create a dense City fabric, ensure development to the back of pavement edge to contribute to a clearly defined street frontage. Retain the traditional grid street pattern. Development should not subsume existing streets and alter the established grain of the area. Development should ensure buildings are of a scale height and massing complimentary to the neighbourhood. Buildings would be expected to reinforce active frontages on the main arterial routes particularly Rochdale Road and key junctions as southern gateways into North Manchester.

This development would replace a vacant public house that had previously been the victim of fire damage, and through the introduction of a retail ground floor use should contribute to developing an active frontage and is considered to accord with the aspirations of the Plan. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

This site falls within the one of the City's character areas, referred to as 'an area of change'. These are areas of regeneration activity, within which the aim is to extend housing choice to better provide for the needs of existing and future residents; broaden the mix of uses to accommodate new shopping and employment areas; provide jobs, services and local facilities; and improve sustainability by providing a mix of activities, buildings and facilities. New developments are expected to provide quality in-curtilage amenity space and adequate car parking. It is considered that the proposed development would accord with the aspirations of the guidance.

Proposed design/massing/layout of schemes and context within area - It is considered that the principle of the construction of a building of height in this location is acceptable. It is considered that the building would serve to enhance the character and appearance of the street scene and surrounding area. There are already large buildings visible within the street scene and surrounding area.

The building would be to back of pavement but the footway width around the building is considered to be acceptable.

It is also considered that an acceptable level of amenity space would be provided within the site, with public amenity space also available at St. Michael's Flags.

The finish and materials will be crucial as regards the creation of an acceptable scheme. It is noted that the current submission proposes a contemporary

materials palette, and it is therefore recommended that a condition regarding materials is imposed upon a grant of Planning Approval to ensure the quality and durability of the materials.

The accommodation mix is considered acceptable, with facilities predominantly designed for use by the occupiers of the accommodation. This is considered to assist in the creation of a sustainable living environment. Conditions regarding servicing and opening hours, and the usage of the commercial units would result in control over noise, activity and disturbance, which would have the potential to disrupt residential amenity.

Quality design and good management of the public realm will be essential to creating a safe and viable location. To this end it is important to create pedestrian-friendly environments, whilst accommodating the vehicle requirements.

Potential of overlooking of adjacent sites - The layout is determined by the shape and location of the site. The windows to the rear alleyway elevation serve bathrooms and stairwells, and as such an obscure glazing condition would be attached to any consent granted. The Mason Street (eastern) elevation sits tight against the adjacent building, and there is no potential for windows on that elevation. On the opposite side of the proposal on Mason Street is the skate board park development and on the Marshall Street (north eastern) elevation the windows over the entrance to the car park serve the lounge / kitchen with the remainder of the windows along that elevation being bathroom windows, these being obscurely glazed and for secondary lighting / ventilation purposes only. As such the proposed development should not result in undue overlooking.

Secure by Design - The priority has been to create a quality development, which encompasses the key principles to ensure a safe and secure environment. The design strategy has been to avoid corners and elements that can be climbed over/vandalised to encourage passive surveillance. The entire site would be lit and managed. Access to the commercial units is directly from the street, which does not interfere with the circulation and access for the apartments and basement parking. To ensure the development complies with the recommendations within the crime impact statement, a secure by design condition would be attached to any consent granted.

In accordance with policy DC14, the applicant has been advised that where roller shutters are provided these must comprise grills or shutters which would not create a blank frontage. A condition is also recommended that during day time hours, shutters are not down thereby avoiding a blank frontage to individual shops. In addition, until such time as the proposed commercial ground floor units are occupied, it is recommended that a condition is imposed which requires the temporary treatment of the frontages to be agreed with the City Council.

Acceptability of the retail element of the scheme - It should be noted that the proposed A1 retail space is limited to 208 sq. m. It is considered that such a limited amount of retail floorspace would help to secure an active frontage to the building without harming similar existing uses in the area. It is also considered that the proposed retail unit would secure a neighbourhood shop that would

serve the future residents of the application property and other nearby residential buildings. A condition is recommended which limits the level of retail floorspace to 208 sq.m., thereby preventing the intensification of the 'secondary' use of the building.

Traffic - There is one vehicular access point proposed into the site from Marshall Street. Head of Engineering services were satisfied with this point of access, however have asked for some amendments in relation to the access to the vehicle lift for which revised plans are awaited and have requested a conditions be attached with regards to the submission of a travel plan.

Parking - 18 parking spaces in total would be provided at basement/ sub basement level with 2 of these being available as disabled spaces. This parking provision meets with the recommended target of 20 % this being 16 spaces. The proposal is on the fringe of the City Centre. It is considered on balance that the parking provision proposed is acceptable in this location due to the combination of the location of the proposed building on a main radial route with a Quality Bus Corridor with frequent bus services, and the provision of facilities for the accommodation of cycles within the development. A condition would also be attached requiring the submission of a comprehensive Green Travel Plan identifying the sustainable measures to be employed to complement the proposed parking provision.

Landscaping/Amenity Space - The scheme includes a central courtyard at the first floor with brick paving, water feature and potted plants and shrubs. This is also repeated on the fifth floor where the roof gardens are proposed. The majority of the fifth floor is occupied by the roof deck garden, with a small outdoor activity area. The sixth floor contains the remainder of the accommodation as well as a gym and an additional outdoor activity area. A condition requiring the submission of a landscaping scheme would be attached to any consent granted. There are currently no trees or planting within the existing site, the proposed development with appropriate planting has the potential to significantly improve the existing situation. It is considered that an acceptable level of amenity space would be provided within the site, with public amenity space also available at St. Michael's Flags.

Sustainability - The applicant has considered the sustainability of the scheme as part of a pre-estimator for Eco Homes and aspires to achieve a very good rating (level 4) under the multi residential requirements.

A site wide waste management strategy has been developed. The aim of the development will be to encourage segregation of refuse and recyclable waste by clear delineation. The refuse storage is located on the ground floor with wheelchair access from the lift lobby.

Noise - Policy DC26.1 DC26.2 DC26.4 and DC26.5 relate to assessment of the affects of noise on new developments, and controlling noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

Conditions have been suggested as regards this matter, which are recommended to be attached to any planning approval in order that residential amenity is not harmfully compromised by noise.

Access for Disabled People - The proposal generally accords with the City Council's guidance for visitor accessibility with a level threshold provided to all apartments, internal and external doors widths and lift access being provided. Whilst there is included in the scheme fully accessible disabled apartments, and disabled WC facilities on each floor. Two parking spaces with transfer space have been provided within the basement car park within reasonable distance to the lift.

In conclusion, the proposal generally complies with DFA2 standards and it is considered, on balance, that some of the deviations from DFA2 which are proposed would not create a significant barrier to the buildings and public areas being accessible.

Section 106 Agreement - This application is the subject of a section 106 agreement. The agreement is to contribute to the package of environmental improvement measures that form part of the Rochdale Road improvements.

Conclusion

The proposal will bring back into use a brownfield site that is currently occupied by a redundant building. The proposal will contribute to the vitality and diversity of the area.

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)/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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation

Minded to approve subject to the signing of a section 106 legal agreement relating to Environmental Improvements as part of the Rochdale Road Environmental Improvement Strategy, and satisfying the Highway Issue. The recommendation is on the basis that the proposal is in accordance with the policies within the Unitary Development Plan for the City of Manchester (in particular policies E1, E3.3, E3.5, S2.1, S2.4, R1, H2.2, H2.7 and HC1) and there are no material considerations of sufficient weight to indicate otherwise

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 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:

(Minor revisions are expected to the drawings following the comments made by the Head of Engineering. A full list of drawings will be reported at Committee)

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 .

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 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, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) No development shall commence unless and until a Travel Plan that will provide for the needs of future residents has been submitted to and approved in writing by the City Council as local planning authority. The Travel Plan should include details of the arrangements to be put in place and shall also identify the parties who will be responsible for managing the scheme. Any scheme approved in discharge of this condition shall be operational at all times that any residential units are occupied.

Reason - In accordance with the provisions contained within Planning Policy Guidance, pursuant to policies of Manchester City Council's adopted Unitary Development Plan, pursuant to policy T3.1 of Manchester City Council's adopted Unitary Development Plan.

5) The management of waste shall be carried out in accordance with the waste management documents received 8th August 2008 unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interests of minimizing the environmental impact of the development, pursuant to policy E1.5 of Manchester City Council's adopted Unitary Development Plan.

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

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

7) Before the development hereby approved commences, a scheme for acoustically insulating the proposed residential accommodation against noise from Mason Street and Rochdale Road 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 commercial properties. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied. Noise survey data must include measurements taken during early morning rush hour periods 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 45dB LAmax
(BS8233:1999)
Living rooms (daytime 07:00- 23:00) 40 dB LAeq.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies HC1, H2.2, H2.7, H2.1, DC26.1, DC26.2, DC26.4 and DC26.5 of Manchester City Council's adopted Unitary Development Plan.

8) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

9) Before development commences, the internal car park area shall be ventilated in accordance with a scheme to be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - In the interests of public health and to ensure satisfactory conditions within the car parking area, pursuant to policies HC1, H2.2, H2.7, and H2.1 of Manchester City Council's adopted Unitary Development Plan.

10) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) The permitted hours of the Class A1 use within the proposed development are to be submitted and agreed in writing by the City Council as Local Planning Authority, prior to the occupation of the buildings.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

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

07:30 to 20:00 Monday to Saturday

No deliveries/ waste collections on Sundays and Bank Holidays

Reason - In the interests of residential amenity, pursuant to policy H2.2 of Manchester City Council's adopted Unitary Development Plan.

13) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment Desk Study) 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).

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study 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 Scheme) 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 Scheme shall be carried out, by an Expert before development commences and the Expert shall prepare a report prepared outlining what

measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

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 H2.2 of the Unitary Development Plan for the City of Manchester.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) and notwithstanding the provisions of the Town and Country Planning Act 1990 (or any act revoking and re-enacting that Act with or without modification) and notwithstanding the plans listed in condition 2, no electronic communications apparatus [which does not require submission of an application for determination by the City Council of whether the Council's prior approval is required] shall be installed in, on or over the building unless installed pursuant to a planning permission other than this permission.

Reason - In the interests of the appearance of the building and street scene, and residential amenity, pursuant to policies HC1, E3.3, H2.2, H2.7 and H2.1 of Manchester City Council's adopted Unitary Development Plan.

15) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

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".

16) 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 policy H2.2 of the Unitary Development Plan for the City of Manchester.

17) The details of an emergency telephone contact number for the development 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.

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

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies T2.4 and T2.6 of the Unitary Development Plan for the City of Manchester.

19) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

20) Details of any roller shutters or security grilles to be installed within the Development, shall be submitted to and agreed in writing by the City Council as Local Planning Authority, before they are in place. Roller shutters and grilles shall of an open grille construction, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located and be colour-coated.

Reason - In the interests of visual amenity, pursuant to policy DC14 and policy E3.3 of the Unitary Development Plan for the City of Manchester.

21) Class A1 use within the development shall not occupy a combined maximum floor space of more than 208 square metres. The number of residential units within the development shall not exceed 15 units comprising of 80 bedrooms.

Reason - To ensure a satisfactory development pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

22) Upon occupation of the commercial units, any proposed roller shutters on the frontage of the proposed units and shall be open/raised from 9.00 a.m. until the business closes in the evening.

Reason - In order to ensure that the appearance of the building is in keeping with the character of the area, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

23) Before the development hereby approved commences a shop front and signage design strategy for the commercial units shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with the approved details

Reason - To protect the visual amenity of the development, pursuant to policies H2.2 and E3.3 of the Unitary Development Plan for the City of Manchester.

24) Before development commences, full details, including scaled elevations, plans and cross-section drawings, of temporary infill panels to the ground floor commercial units shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The details submitted shall include an explanation, in drawings or text, of how the proposed works will resist fly posting and graffiti, and how they will be maintained in good condition. Any works approved in discharge of this condition shall be implemented in full before any part of the development under this planning consent is first used, or by such time as may be agreed in writing with the City Council as Local Planning Authority. The strategy for maintaining the infills in good condition shall be operational at all times until the temporary infills are removed from the site.

Reason - In the interests of visual amenity and to ensure that the frontage of the units before occupation has a good appearance within the street scene, and that this appearance is maintained, pursuant to Manchester Unitary Development Plan policies E3.3 and H2.2 .

25) Before the building hereby approved is first occupied it shall be insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the property. The applicant should demonstrate that the acoustic insulation of the units is adequate to contain noise within the units and demonstrate that noise from the units would not cause disamenity to the occupants of nearby residential properties.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies HC1, H2.2, H2.7, H2.1, DC26.1, DC26.2, DC26.4 and DC26.5 of Manchester City Council's adopted Unitary Development Plan.

26) Details of the proposed shutters to the car park including colour, height, finishes and details of method of operating shall be submitted to and approved in writing by the City Council, as local planning authority, before the use

commences. The approved details shall be implemented before the development is first brought into use.

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 and highway safety of the area within which the site is located, pursuant to policies H2.2, E3.3 and E3.5 of the adopted UDP.

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

a) Identify, before the development commences, the potential impact area in which television reception is likely to be adversely affected by the development. The study shall be carried out either by the Office of Communications (OFCOM), or by a body approved by OFCOM and shall include an assessment of when in the construction process an impact on television reception might occur.

b) Measure the existing television signal reception within the potential impact area identified in (a) above before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Independent Television Commission, and shall include an assessment of the survey results obtained.

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

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

28) The apartments hereby approved shall be used only as student accommodation 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 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 in 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 UDP Policy H2.2.

29) Prior to the commencement of development details of a mechanism to detect any vehicles entering the car park shall be submitted to and approved in writing by the City Council as local planning authority. Such a scheme shall activate the self opening shutters. The approved scheme shall be installed prior to any of the building being occupied, and shall be retained at all times thereafter.

Reason - In the interests of highway and pedestrian safety in the vicinity of the site, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

30) Pedestrian visibility is required by cars exiting the car park from the lift. Full details of the method to achieve this shall be submitted to and approved in writing by the City Council as local planning authority prior to the building hereby approved being brought into use. Such a scheme shall be retained at all times thereafter.

Reason - In the interest of pedestrian and highway safety within the vicinity of the site, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

31) Details of all external lighting shall be submitted to and approved in writing by the City Council as local planning authority before development commences. The scheme shall then be implemented in accordance with the approved details.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

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: 087073/FO/2008/N1 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:

Chief Executive's Landscape Practice Group
Engineering Services
Environmental Health
Contaminated Land Section
Director Of Housing

North Manchester Regeneration Team
Greater Manchester Police
University Accommodation Office
Greater Manchester Ecology Unit
Natural England
Green Spaces

Apartment 1706, 49 Gouliden Street, Manchester, M4 5EN
Apartment 307, 49 Gouliden Street, Manchester, M4 5EL
Apartment 404, 49 Gouliden Street, Manchester, M4 5EL
Apartment 403, 49 Gouliden Street, Manchester, M4 5EL
Apartment 304, 49 Gouliden Street, Manchester, M4 5EL
Apartment 807, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1502, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1608, 49 Gouliden Street, Manchester, M4 5EN
Apartment 205, 49 Gouliden Street, Manchester, M4 5EL
Apartment 308, 49 Gouliden Street, Manchester, M4 5EL
Apartment 603, 49 Gouliden Street, Manchester, M4 5EL
Apartment 906, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1801, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1105, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1406, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1601, 49 Gouliden Street, Manchester, M4 5EN
Apartment 303, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1304, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1403, 49 Gouliden Street, Manchester, M4 5EN
Apartment 407, 49 Gouliden Street, Manchester, M4 5EL
Apartment 401, 49 Gouliden Street, Manchester, M4 5EL
Apartment 201, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1101, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1004, 49 Gouliden Street, Manchester, M4 5EL
Apartment 705, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1404, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1301, 49 Gouliden Street, Manchester, M4 5EN
Apartment 804, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1206, 49 Gouliden Street, Manchester, M4 5EN
Apartment 1108, 49 Gouliden Street, Manchester, M4 5EN
Apartment 502, 49 Gouliden Street, Manchester, M4 5EL
Apartment 507, 49 Gouliden Street, Manchester, M4 5EL
Apartment 707, 49 Gouliden Street, Manchester, M4 5EL
Apartment 208, 49 Gouliden Street, Manchester, M4 5EL
Apartment 408, 49 Gouliden Street, Manchester, M4 5EL
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Apartment 1507, 49 Gouliden Street, Manchester, M4 5EN
Apartment 708, 49 Gouliden Street, Manchester, M4 5EL
Apartment 1002, 49 Gouliden Street, Manchester, M4 5EL
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Apartment 1407, 49 Goulden Street, Manchester, M4 5EN
Apartment 102, 49 Goulden Street, Manchester, M4 5EL
Apartment 1203, 49 Goulden Street, Manchester, M4 5EN
Apartment 103, 49 Goulden Street, Manchester, M4 5EL
Apartment 301, 49 Goulden Street, Manchester, M4 5EL
Apartment 504, 49 Goulden Street, Manchester, M4 5EL
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Apartment 508, 49 Goulden Street, Manchester, M4 5EL
Apartment 1208, 49 Goulden Street, Manchester, M4 5EN
Apartment 1401, 49 Goulden Street, Manchester, M4 5EN
28 Mason Street, Manchester, M4 5EY
Edenvale Property Management Uk Ltd, John Swift Building, 19 Mason Street,
Manchester, M4 5FT
Priority Travel Club, John Swift Building, 19 Mason Street, Manchester, M4 5FT
39 Mason Street, Manchester, M4 5FX
Oak Properties, 30 Mason Street, Manchester, M4 5EY
Sigma Property Ltd, 30 Mason Street, Manchester, M4 5EY
W A S P Studios, 30a, Mason Street, Manchester, M4 5EY
32 Mason Street, Manchester, M4 5EY
Lucky Knitwear Ltd, 53 Marshall Street, Manchester, M4 5FU
Javed Signs Ltd, 53 Marshall Street, Manchester, M4 5FU
Young Mode Manchester Ltd, 46 Marshall Street, Manchester, M4 5FU
Greater Manchester County Record Office, 56 Marshall Street, Manchester, M4
5FU
Good Look Knitwear, 55 Cable Street, Manchester, M4 5DF
45 Addington Street, Manchester, M4 5EU

Representations were received from the following third parties:

Relevant Contact Officer : Janet Lawless
Telephone number : 0161 234 4535

Email : j.lawless@manchester.gov.uk