

<b>Ancoats And Clayton Ward</b>	<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>
	085801/FO/2008/N1	12th Mar 2008	26 June 2008-06-18

**Proposal** Erection of one 8 storey block comprising of 4 commercial units (A1 A2) 586 square metres and 61 residential units with associated car parking in basement (1000 sq metres) and associated amenity space and landscaping and erection of 3 wind turbines on roof

**Location** Mason Street/ Cable Street/ Addington Street, Ancoats, Manchester, M4 5FT

**Applicant** Moylan Homes, 82 Reddish Road, Reddish, Manchester, SK5 7QU

**Agent** Makin Architecture 3rd Floor Amazon House, Brazil Street, Manchester, M1 3PW

### **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, Addington Street to the north east, Mason street to the south east, Cable street to the south west and the fourth side being adjacent to a surface car park. 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 level, and previously occupied as surface car parking. There is currently an outline consent on the site planning ref:077325/OO/2005/N1 for 42 two bed apartments with 4 live work units and underground parking.

Planning permission is sought for a mixed use scheme comprising the erection of an eight storey building to include 61 apartments (49 two and 12 one bedroom units) with 4 retail units A1 /A2 (total overall floorspace 586 sq.m) with 25 parking spaces (2 of which would be disabled accessible), and 2 cycle spaces per unit are accommodated on the balconies. The vehicular access into the proposal is proposed off Cable Street, providing a route into the basement via a car lift. Access to the commercial units is directly from the street. A green roof on the main roof area is proposed along with a brown roof feature suitable for Black Redstarts. A green roof is also proposed for the amenity area on the first floor. Along with the ecology measures proposed, there are also three wind turbines and photovoltaic panels proposed as part of the application.

The supporting documentation submitted as part of the application includes a Design and Access Statement, including Disabled Access Statement, Ecology Statement, TV reception survey report, Geo-environmental Site Investigation Report, Crime Impact Assessment, Acoustics Report, BREEAM Feasibility Study, Code For Sustainable Homes Feasibility Study and Flood Risk Assessment.

### **Consultations**

Local residents and Local Businesses have been informed- no representations have been received:

Head of Regulatory Services (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.

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

Greater Manchester Passenger Transport Executive- support the proposal particularly the emphasis on the promotion of public transport. To further demonstrate this commitment a condition relating to the submission and approval of a travel plan should be attached to any consent granted.

Greater Manchester Police Architectural Liaison Officer- 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 within the Crime Impact Statement being implemented.

MEDC- Landscape Practice- any significant comments will be reported to Committee.

North Manchester Regeneration Team- whilst there is an element of 1 bed units proposed we support the proposal subject to the zero carbon being achieved. It is important to encourage pioneering approaches to sustainable development. Considering an outline permission has already been granted on the site for a similar development, the principle of the proposed development is considered acceptable.

Head of Engineering Services - no objections to the proposal subject to the implementation of the following measures- :-

1/ the applicants must consult with MEDC bridges section due to the creation of basements adjacent to the highway.

2/ pedestrian visibility splays are required for cars emerging from the lift, this could be done with an on street CCTV system incorporating a screen in the lift

3/ There must be a clear mutually maintainable break line required where the private footway meets the highway footway.

4/ Roller shutter doors must detect entering vehicles.

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.

Greater Manchester Ecology Unit - The ecological assessment of the site identifies that there are no features of ecological interest within the development site. It is recommended that the biodiversity enhancement measures mentioned in the submitted ecology report be covered by a planning condition attached to any consent granted.

The impact of wind turbines on bats is not fully understood. To ensure that turbines at this location do not affect the bat population, it is recommended that a condition be attached to any consent granted that the site be monitored on a regular basis and any evidence of bat collisions be reported to the council.

### **Issues**

#### Relevant Planning Policies

##### Planning Policy Statement Note 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 Guidance Note No.3 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 61 apartments, comprising 1, and 2 bedroom units 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 was published in June 1996 and 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 586 sq.m. 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 and A2 uses may require future control in terms of the hours of operation.

#### Planning Policy Guidance Note No.25 Flood Risk

This site does not falls within a flood risk area.

#### 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 sight that had previously been occupied as a car park, and through the introduction of a retail ground floor use should contribute to developing an active frontage on all 4 elevations, 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.

Unitary Development Plan

Part 1 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 vacant site for a mix of uses including an element of retail accessed from Cable Street. 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 H1.2 states that the Council wishes to ensure that housing stock contains a wide enough range of housing types to meet the needs of people who want to live in Manchester.

The proposal is in accordance with Policy H1.2 in that the scheme provides a range of 1 and 2-bedroom accommodation to cater for the needs of people at different stages in their life or with different housing requirements. The scheme will also widen the range of property types within the local area, and this in turn should lead to better use of the existing housing stock.

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 apartment blocks. The green areas on the roof and the first floor would be included in the maintenance contract.

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.

recognize their differing needs in designing new facilities.

#### Part 2 of the UDP

The site is not allocated within the UDP, however in the light of mixed use developments granted approval in the vicinity it is considered that the mix of uses would be acceptable in this location.

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 first floor and roof garden 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 predominantly two bedroom apartments, 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 development comprises of a central circulation core with the back of building abutting the adjacent car park site, it is designed this way so as not to restrict future development of this site, with the accommodation being arranged around the perimeter creating a series of single aspect apartments, wrapping around a central core. The rear elevation will remain predominantly solid, the windows that are proposed in the rear elevation overlooking the car park will be obscurely glazed and for secondary lighting and ventilation purposes only.

As the proposal will bring forward significant regeneration benefits to this area, the potential impact would be minimal and on balance is considered acceptable.

### **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. The proposed fencing is considered sufficiently robust, and sufficient distance away from the building so as not to provide a climbing aid onto the balconies. The bicycle storage is located on individual balconies to eliminate the security issues at ground floor and basement. There is further cycle storage provision within the secure maintenance area. The entrance door to the building is flush to ensure no recessed areas are created. 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.

### **Traffic**

There is one vehicular access point proposed into the site from Cable Street. Head of Engineering services were satisfied with this point of access, and have requested conditions be attached with regards to visibility and the submission of a travel plan.

### **Parking**

25 parking spaces would be provided at basement level with 2 of these being available as disabled spaces. Although this is below 100 % provision, this is to conform to the ethos of the overall development being of a high quality green product. 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, whilst retaining the principles of the sustainable development.

### **Landscaping/ Amenity space**

The scheme includes an area of hard landscaping to the ground floor between the building and the adjacent car park site. This would be to enable access for refuse and fire escape. There is an area at first floor where it is proposed to plant a green roof, the plants to be English native or plants with a value to wildlife. There would also be an extensive green roof proposed for the main roof area, with a further 25 square metres of the main roof area to be used to create an area of brown roof suitable for use by Black Redstarts. All the flats above ground floor will house a balcony extending the full length of the external walls, with the exception of the rear



elevation. The metal mesh fascia to these balconies would provide shaded areas enabling the correct environment to grow plants and thereby encouraging wildlife. Balcony herb planters would be provided for each balcony. The individual balcony areas range in size from 7 square metres to 22.5 square metres for the corner apartments. 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.

### **Ecology**

The ecology assessment identifies that there are no features of ecological interest within the development. There are 3 wind turbines to be introduced to the roof as part of the proposal. The impact of wind turbines on bats is not fully understood. To ensure that the turbines at this location do not affect the bat population in the City Centre, a condition is to be attached to any consent granted that the site be monitored on a regular basis and any report of bat collisions be reported to the Council.

### **Boundary Treatment**

The principle of the height and choice of boundary treatment in the vicinity of the maintenance area is a robust weld mesh panel fence erected to a height of 2.4 metres. The fencing is sufficient distance from the building so as not to provide a climbing aid onto the balcony. The architectural liaison officers are happy with the proposed fencing, and as such it is considered acceptable.

### **Sustainability**

The applicant has considered the sustainability of the scheme as part of a pre-estimator for Eco Homes and aspires to achieve an "excellent" rating (level 6 ) for the residential element with a BREEAM pre assessment rating of 4 (very good) in relation to the commercial use. In pursuit of Level 6 approximately half of the useable area in the basement will be dedicated to power generation, heating plant and other related services. Once implemented it is understood that this would be the first zero carbon residential development in the north of England. Some of the other measures proposed in order to achieve these levels are as follows:

- (1) Low energy light fittings.
- (2) Cycle storage spaces.
- (3) Use of grey water internally and externally.
- (4) Provision of roof garden to both main roof and first floor roof as a natural habitat for insects and birds.

(5) The design of the building envelope to minimise heat losses and solar gains, and the provision of energy efficient lighting to key areas and general circulation spaces. The buildings have been orientated to allow habitable rooms to be adequately lit with natural light, wherever possible.

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.

### **Affordability**

'Providing for Housing Choice' is the relevant City Council document in relation to the delivery of affordable housing. Within this document, Paragraph 5.56 of "Providing for Housing Choice" provides a list of exceptions for the provision of affordable housing under the Policy where material considerations indicate that this would be appropriate. This proposal meets a number of exceptions listed at paragraph 5.56, in that the inclusion of affordable housing in relation to this site would prejudice the achievement of other important planning or regeneration objectives. The applicant is proposing to spend a further 2 million pounds over normal build costs for a development of this type in relation to achieving the BREEAM and Code for Sustainable Homes levels referred to in the sustainability measures ((to be found elsewhere in the report). The proposal site was purchased in October of 2007, and as such a legally binding agreement had been reached by the 1st of December 2007, which did not incorporate the cost of affordable housing.

The development of the site for apartments contributes to the regeneration objectives in the Collyhurst Local Plan by increasing the amount of residential accommodation in this area. The level 6 (excellent) proposed under the code for sustainable homes would contribute to the lower running costs of the property, which otherwise would have a higher level of running / maintenance costs associated with an apartment. Whilst this is not front ended in the lower cost of the property, it is offset against the long- term costs for the occupants of the development. The proposal would contribute to greater variety in the local housing stock.

However, the issue of addressing affordability through the legal agreement is currently being progressed with the applicant. It is intended that available financial packages will be explored at the time the apartments are completed which would allow for shared equity or other similar product for delivering affordability. Members will be updated on this matter at Committee

Therefore, it is for these reasons, that it has been agreed by Planning, Housing and North Manchester Regeneration that the scheme proposed is appropriate in its current form.

## **TV Reception**

The applicant has submitted correspondence from Taylor electronic systems in relation to the impact on television reception as a result of this proposal. It advises that due to there being no existing building at the location of the proposed development, the introduction of the proposed development, the introduction of the proposed building will change the existing skyline, which will result in an impact to television reception. Therefore an appropriate condition would be attached to any consent granted in order to mitigate against any interference.

## **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 1.5 metre turning circles would be provided in all bathroom facilities. the properties, are also following the Homes for Life criteria. 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.

## **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.

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

## **Section 106 Agreement**

This application is the subject of a section 106 agreement. The agreement is to ensure that any consent granted secures the deliverability of the BREEAM level 4 (very good) in relation to the commercial element of the proposal, and Level 6 (excellent) Code for Sustainable Homes.

## **Conclusion.**

This application is the first within the City, possibly the north of England offering this level of Green Product. This is a pioneering approach towards sustainability, embracing biodiversity, accessibility and ecological issues, and one, which, is welcomed by the City Council as local planning authority.

**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 agreement in relation to the securing of a level 6 code for sustainable homes and a level 4 BREEAM for commercial development.

**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: 1214 P(100) revC , 1214 P(101) revB 1214P (102)revB, , P(103) revB, P(104) revB, P(105) revB, P(106) revB, P(107) revB, P(108) revB, P201 revB, P202 revB, P203 revB, P204 revB, P300, 1214 P(010) revD, 1214 SK (151)1214 P(301) revA, 1214 P(302 sectionBB) 1214 P(302) 1214 P (303), 1214 P(304) revA, 1214 E (901)~

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) Notwithstanding the materials annotated on the submitted plans, 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, pursuant to policies HC1, E3.3, and H2.2 of Manchester City Council's adopted Unitary Development Plan.

4) No development shall commence unless and until a Travel Plan that will provide for the needs of future residents who may wish to have the use of a motorcar has been submitted to and approved in writing by the City Council as local planning authority. The scheme submitted shall incorporate the following as applicable, a car club, notification to future residents of the absence of on-site car parking, contract car parking and public transport passes, and 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 policies 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 11th of February 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) A landscaping scheme shall be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of the development. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out, pursuant to policies HC1, E3.3, H2.2, H2.7, E3.5, H2.1, DC7.1, E3.7 and E1.5 of Manchester City Council's adopted Unitary Development Plan.

7) Before the development hereby approved commences, a scheme for acoustically insulating the proposed residential accommodation against noise from Addington 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 the development hereby approved commences, 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. The applicant should submit further information relating to the wind turbines, and also information that demonstrates that externally mounted plant, equipment and servicing will achieve a noise level of 5 dB below the existing background (LA90) in each octave band at the nearest residential property.

Reason - To safeguard the amenities of the occupiers of the residential accommodation, 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.

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 shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as Local Planning Authority before the use commences; any works approved shall be implemented before the use commences.

Reason - In the interests of the amenities of the occupiers nearby properties, pursuant to policies HC1, H2.2, H2.7, and H2.1 of Manchester City Council's adopted Unitary Development Plan.

11) The permitted hours of the Class A1 and A2 uses 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 and 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) The development hereby permitted shall not begin until a scheme to deal with contamination of land and/or groundwater has been submitted and approved by the LPA and until the measures approved in that scheme have been fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

1. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until:

(i) The requirements of the LPA for site investigations have been fully established; and

(ii) The extent and methodology have been agreed in writing with the LPA.

2. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the LPA.

3. If during the works contamination is encountered which has not previously been identified then work shall cease in that area, the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

4. Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to, and approved by, the LPA.

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 policies HC1, H2.2, H2.7, and H2.1 of Manchester City Council's adopted Unitary Development Plan.

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) The development hereby approved shall incorporate measures to minimise the risk of crime

and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secure by Design' accreditation awarded by the Greater Manchester Police. Written confirmation of those measures are to be provided to the City Council, as the Local Planning Authority.

Reason - In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well-being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in PPS1 "Delivering Sustainable Development".

16) 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, pursuant to policies HC1, H2.2, H2.7, and H2.1 of Manchester City Council's adopted Unitary Development Plan.



17) The details of an emergency telephone contact number shall be displayed in a publicly accessible location on the site during the construction period and shall remain so displayed unless otherwise agreed in writing by the City Council as local planning authority.

Reason

In the interests of local amenity, pursuant to 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 car parking for the development proposed when the building is occupied, pursuant to policies HC1, E3.3, H2.2, H2.7, E3.5, T3.1, DC7.1, E3.7 and H2.1 of Manchester City Council's adopted Unitary Development Plan.

19) No part of the development shall be occupied until 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. 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 mode of transport, pursuant to policy 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 be 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) This permission hereby approved relates to :-

Class A1 and A2 within the development combined maximum floor space of 586m<sup>2</sup>.

Unless otherwise agreed in writing by the City Council as Local Planning Authority. The number of C3 residential units within the development shall not exceed 61 No residential unit shall be used for any purpose other than C3.

Reason

For the avoidance of doubt as changes to any element of the development may have consequences in terms of national and local policy considerations, and 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) Within six months of any part of the development first being occupied, a repaving strategy for the public footpaths and redundant vehicular crossings immediately adjoining the application site shall be submitted to and approved in writing by the City Council as local planning authority.

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 and E3.3.

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) 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:

c) 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 (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, pursuant to Manchester Unitary Development Plan policy H2.2.

28) The apartments hereby approved shall be used as private dwellings only 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.

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.

#### **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: 085801/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  
Environment & Operations (Refuse & Sustainability)

North Manchester Regeneration Team  
GMPTE  
Greater Manchester Ecology Unit  
Greater Manchester Police  
Usman Fashions, 11 Dyche Street, Manchester, M4 4BQ  
17 Dyche Street, Manchester, M4 4BQ  
7 Rochdale Road, Manchester, M4 4HS  
Realty Estates Ltd, 25 Rochdale Road, Manchester, M4 4HT  
11 Mason Street, Manchester, M4 5FT  
30-38, Swan Street, Manchester, M4 5JG  
Cloud Nine, 56 Swan Street, Manchester, M4 5JU  
Start Agency, 66 Swan Street, Manchester, M4 5JU  
Bank Of Baroda, 50 Swan Street, Manchester, M4 5JU  
The Hat & Feathers, 39 Mason Street, Manchester, M4 5FX  
28 Mason Street, Manchester, M4 5EY  
Supreme Finance, 58 Swan Street, Manchester, M4 5JU  
Associated Security Services, Security House, 25 Addington Street, Manchester, M4 5EU  
On Ya Byke, 40 Swan Street, Manchester, M4 5JG  
1 Mason Street, Manchester, M4 5FT  
Dallas Knitwear Ltd, 2 Rochdale Road, Manchester, M4 4JR  
Lucky Knitwear Ltd, 53 Marshall Street, Manchester, M4 5FU  
13 Mason Street, Manchester, M4 5FT  
Good Look Knitwear, 55 Cable Street, Manchester, M4 5DF  
45 Addington Street, Manchester, M4 5EU  
Priority Travel Club, John Swift Building, 19 Mason Street, Manchester, M4 5FT  
Javed Signs Ltd, 53 Marshall Street, Manchester, M4 5FU  
Edenvale Property Management Uk Ltd, John Swift Building, 19 Mason Street, Manchester, M4 5FT  
Apartment 405, 49 Goulden Street, Manchester, M4 5EL  
Apartment 406, 49 Goulden Street, Manchester, M4 5EL  
Apartment 407, 49 Goulden Street, Manchester, M4 5EL  
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Apartment 1707, 49 Goulden Street, Manchester, M4 5EN  
Apartment 1801, 49 Goulden Street, Manchester, M4 5EN

**Relevant Contact Officer :** Janet Lawless  
**Telephone number :** 0161 234 4535  
**Email :** [j.lawless@manchester.gov.uk](mailto:j.lawless@manchester.gov.uk)