

## REPORT FOR RESOLUTION

**Committee** PLANNING AND HIGHWAYS

**Date** 11 February 2010

**Subject** 091751/FO/2009/C2  
Redevelopment to create a 14 storey plus basement building incorporating Class B1 offices on upper floors, ground floor cafe, restaurant and bar uses (Class A3 and A4) and basement car parking with related highways, access, servicing and landscaping works, following demolition of existing building.

091752/CC/2009/C2  
Demolition of existing Elisabeth House building and removal of five trees to allow construction of a new 14 storey building.

**Location** Elisabeth House, 2 - 14 St Peters Square, Manchester, M2 3DE,

**Applicant** Elisabeth House General Partner Ltd, C/o Agent

**Agent** Mr Stephen Bell, GVA Grimley Ltd, 81 Fountain Street, Manchester, M2 2EE

**Report of** HEAD OF PLANNING

### **Purpose of Report**

To describe the above application for planning permission, the issues involved and to put forward recommendations.

### **Recommendation**

The Head of Planning recommends that the Committee;

**APPROVE** planning application **091751/FO/2009/C2** for the reasons set out in this report, subject to the conditions and reasons listed at the end of this report.

**APPROVE** conservation area consent application **091752/CC/2009/CA** for the reasons set out in this report, subject to the conditions and reasons listed at the end of this report.

### **Financial Consequences for the Revenue Budget**

There are no financial consequences for the Revenue budget.

### **Financial Consequences for the Capital Budget**

There are no financial consequences for the capital Budget



Flat 38, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 24, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 26, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Penna Plc, Peter House, Oxford Street, Manchester, M1 5AN  
I T N Mark Education, Peter House, Oxford Street, Manchester, M1 5AN  
The Quinn Partnership, Peter House, Oxford Street, Manchester, M1 5AN  
Miles Association, Peter House, Oxford Street, Manchester, M1 5AN  
Shoosmiths, Peter House, Oxford Street, Manchester, M1 5AN  
J M C L Consulting Ltd, Peter House, Oxford Street, Manchester, M1 5AN  
P A P R, Peter House, Oxford Street, Manchester, M1 5AN  
Tobins, Peter House, Oxford Street, Manchester, M1 5AN  
Yahoo, Peter House, Oxford Street, Manchester, M1 5AN  
Arista Insurance, Peter House, Oxford Street, Manchester, M1 5AN  
Rush Bike Wear Ltd, Peter House, Oxford Street, Manchester, M1 5AN  
Kleinworth Benson, Peter House, Oxford Street, Manchester, M1 5AN  
B C L Legal, Peter House, Oxford Street, Manchester, M1 5AN  
Law Choice Recruitment, Peter House, Oxford Street, Manchester, M1 5AN  
Genesis, Peter House, Oxford Street, Manchester, M1 5AN  
Laundry Shop, Peter House, Oxford Street, Manchester, M1 5AN  
R K Wilcock Ltd, Peter House, Oxford Street, Manchester, M1 5AN  
Reid Rose, Peter House, Oxford Street, Manchester, M1 5AN  
Aleef Newsagent, Peter House, Oxford Street, Manchester, M1 5AN  
Google, Peter House, Oxford Street, Manchester, M1 5AN  
Scott Frazer Ltd, Peter House, Oxford Street, Manchester, M1 5AN  
Terence Paul, 2 Oxford Street, Manchester, M1 5AE  
3 Oxford Street, Manchester, M1 4PB  
Don Giovannis, 1-2, Oxford Street, Manchester, M1 4PB  
Oxford House, 16 Oxford Street, Manchester, M1 5AE  
Mills & Reeve, Peter House, Oxford Street, Manchester, M1 5AN  
Lucy Walker Recruitment, Peter House, Oxford Street, Manchester, M1 5AN  
G2 Legal, Peter House, Oxford Street, Manchester, M1 5AN  
St. Pauls Travel, Peter House, Oxford Street, Manchester, M1 5AN  
Huntswood, Peter House, Oxford Street, Manchester, M1 5AN  
Arts Council England, Peter House, Oxford Street, Manchester, M1 5AN  
15 Oxford Court, Manchester, M2 3WQ  
7-11, Oxford Street, Manchester, M1 4PB  
Allens Fried Chicken, 5 Oxford Street, Manchester, M1 4PB  
Elizabeth House, 4 St. Peters Square, Manchester, M2 3DE  
Flat 4, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 27, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 30, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Eden & Co, 34 Oxford Street, Manchester, M1 5EL  
Manchester City Council, Town Hall, Albert Square, Manchester, M2 5DB  
Technical Risk Services, Sussex House 83-85, Mosley Street, Manchester, M2 3LG  
Alec Finch & Co Ltd, Sussex House 83-85, Mosley Street, Manchester, M2 3LG  
Oakley Financial Solutions, Sussex House 83-85, Mosley Street, Manchester, M2 3LG  
Marks & Clerk, Sussex House 83-85, Mosley Street, Manchester, M2 3LG  
Human Engineering, Clarendon House, 81 Mosley Street, Manchester, M2 3LQ  
Intellect, Clarendon House, 81 Mosley Street, Manchester, M2 3LQ

Accountancy Additions, Clarendon House, 81 Mosley Street, Manchester, M2 3LQ  
Storey Sons & Parker, Clarendon House, 81 Mosley Street, Manchester, M2 3LQ  
Lambert Smith Hampton, 79 Mosley Street, Manchester, M2 3LQ  
Returning Officer, Lord Mayor's Office, Town Hall, Albert Square, Manchester, M2 5RT  
Cibitas Investments Ltd, Century House, 11 St. Peters Square, Manchester, M2 3DN  
Impromptu Publishing Ltd, Century House, 11 St. Peters Square, Manchester, M2 3DN  
C L B Coopers, Century House, 11 St. Peters Square, Manchester, M2 3DN  
Shawbridge Management Ltd, Century House, 11 St. Peters Square, Manchester, M2 3DN  
Gio Restaurant, 3-7, Lower Mosley Street, Manchester, M2 3WS  
6 St. Peters Square, Manchester, M2 3DE  
Efes Restaurant, 8 St. Peters Square, Manchester, M2 3DE  
Aleef Newsagents, 10 St. Peters Square, Manchester, M2 3DE  
12 St. Peters Square, Manchester, M2 3DE  
14 St. Peters Square, Manchester, M2 3DE  
16 St. Peters Square, Manchester, M2 3DF  
Manpower Uk Ltd, 87-89, Mosley Street, Manchester, M2 3LR  
Futureworks, 87-89, Mosley Street, Manchester, M2 3LR  
Barclaycard, Peterloo House, Dickinson Street, Manchester, M1 4LF  
Flat 37, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 10, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 28, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 42, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 44, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 35, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 25, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 47, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 3, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 46, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 45, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 43, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 15, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 23, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 16, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 36, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 22, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 41, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 40, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 18, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 21, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 12, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 5, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 33, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 11, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 29, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 8, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 34, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 14, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX

Flat 31, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 6, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 1, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 13, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX  
Flat 32, Tuscany House, 19 Dickinson Street, Manchester, M1 4LX

### **Wards affected**

City Centre Ward

### **Implications for:**

| <b>Anti-poverty</b> | <b>Equal Opportunities</b> | <b>Environment</b> | <b>Employment</b> |
|---------------------|----------------------------|--------------------|-------------------|
| No                  | Yes                        | Yes                | Yes               |

## **1.0 INTRODUCTION**

1.1 The site is bounded by Dickinson Street, George Street, Oxford Street and St Peter's Square in the heart of Manchester city centre. The site occupies a very prominent and strategic location both for the City Centre and the wider city-region.

The Executive endorsed a Regeneration Framework for the Civic Quarter in October 2009 as a basis for public consultation. The Framework provides a basis for the regeneration of the area and is founded on a number of key public sector projects, transport improvements, and a number of major private sector projects. The aim is to develop a new commercial sector and the redevelopment of Elisabeth House has been identified as a key project. The outcome of the consultation process will be reported to the Executive on 10 February its decision will be reported to Committee.

1.2 The application site comprises Elisabeth House, constructed in 1971. The building is currently vacant having previously accommodated a number of shops, hot food takeaways and restaurants on the ground floor and offices above. The existing building rises to 7 storeys on the St Peter's Square side, stepping down to 4 storeys on its Oxford Road frontage. A small ground floor entrance to the offices is provided on the corner of St Peter's Square and Dickinson Street. The building has a concrete-framed structure with an elevational treatment of alternate horizontal bands of fair faced concrete and glazed curtain walling.

1.3 The applicants are a joint venture company formed by Argent and the Greater Manchester Property Venture Fund (GMPVF). The GMPVF is the property development and investment arm of the Greater Manchester Pension Fund, the largest local authority pension fund in the UK.

1.4 The Elisabeth House application site extends to 0.43 hectares and has a large frontage onto St Peter's Square to the north, as well as a major frontage to Oxford Street to the west. The remaining two sides of the site are bordered by Dickinson Street and George Street, to the east and south respectively. All of the accommodation is vacant. The offices were last occupied in 2007 and the final ground floor unit was vacated in August 2009.

1.5 Manchester city centre is the largest driver of employment growth in the North West and is at the centre of its economic, social and cultural life. The area has a diverse mix of uses that interface to provide vitality and activity and which collectively combine to make a major contribution to the wider city centre and regional economies. It is also a key arrival point and therefore plays a crucial role in defining the image and perception of the entire city centre.

1.6 The area associated with the application site forms part of the civic core of the city centre where the majority of the City Council's functions and St Peter's Square itself provides an important backdrop of public realm to these buildings. The area is close to cultural attractions to both the east (Manchester City Art Gallery) and the west (Bridgewater Hall) while the Manchester Central conference and exhibition halls are situated behind the Midland Hotel and the nearby Radisson Edwardian Hotel. These all attract significant numbers of people. The area is also close to the 'Oxford Road Corridor', one of the largest concentrations of education and health institutions in Europe. A Development Framework for the Corridor has been produced to co-ordinate future development and to help lever in over £1.5 billion of investment over the next five years to create a more distinct hub of knowledge-based industries.

1.7 The application site falls within the St Peter's Square Conservation Area with the rear of the site being adjacent to the boundary of the George St Conservation Area. The site is also close to the Albert Square Conservation Area which adjoins the east boundary of St Peter's Square. Listed buildings in the vicinity of the site include Dickinson House on Dickinson St, and the Town Hall and Extension, Central Reference Library and the Midland Hotel.

1.8 It should be noted that Manchester City Council, along with other local authorities in Greater Manchester, has an interest in the Greater Manchester Pension Fund. Part of the application site, where the boundaries to St Peter's Sq and Oxford St frontage meet is currently pavement as part of the public highway and is in the ownership of the City Council. This area of pavement would have to be formally closed before the development could proceed.

## **2.0 THE APPLICATIONS.**

2.1 Two applications have been submitted, a planning application (091751) and a conservation area consent application (091752), and show the demolition of Elisabeth House within a conservation area and the construction of a new 14 storey high (ground plus 13 floors) building, plus a basement, for a mix of uses.

### **Planning Application 091751/FO/2009/C2.**

2.2 The accommodation would include ground floor restaurant, café and bar uses within Classes A3 and A4 (or a combination thereof) which would be accessible both from the street and from within the building, allowing use by both the general public and the office staff. A double-height entrance and reception area for the office accommodation is proposed on the St Peter's Square frontage in association with a colonnade walkway across the whole of this building front.

2.3 A 'gallery' space would be created on part of the first floor which would be available for use by the office tenants for exhibitions, presentations and organised events. This space, together with the leisure uses on the ground floor, is intended to draw the public into the building complementing the wider public function of St Peter's Square.

Large floorplate offices, which are capable of sub-division, would occupy the remainder of the first floor and all of the upper 12 floors.

2.4 A basement car park will accommodate 71 car parking spaces and will be accessed from George Street.

2.5 The design strategy has been to respond to the immediate and wider urban and historic contexts with a deeply modelled façade applied to an obvious structural grid that creates visual character but also incorporates environmental elements to deal with issues such as solar gain. The building has been designed to achieve the BREEAM 'Excellent' sustainability standard.

2.6 The height of the proposed building is larger than the majority of buildings fronting St Peter's Sq. and its scale and three dimensional form, described as a 'modulated cube', is intended to reflect the design approach that the neighbouring buildings, particularly the large buildings fronting St Peter's Square, feature and as a clear reference to the historic buildings around the Square. The bottom section of the building at ground, first and second floors, features a large colonnade to provide a sheltered entrance on the front elevation but is also a deliberate reflection of the ground floor expression of the civic buildings fronting St Peter's Square.

2.7 The main entrance of the building leads to a large entrance hall and is located at the building corner where St Peter's Square meets Oxford Street. This feature is directly opposite the entrance portico of the Central Library at a point on the building that attracts the highest level of footfall at the most visually prominent corner of the building, thereby terminating views southeast along Peter Street and Library Walk, and as the building is approached along Mosley Street from the northeast.

2.8 The glazed transparency of the ground floor uses is designed to create a positive image from the street on three sides. The cafe fronts and is accessed from Oxford Street and there is the potential for a secondary entrance to the restaurant off Dickinson Street.

2.9 The middle section of the building (floors 3 to 10) uses reconstituted stone with deep reveals in a 3 metre-wide grid to all the facades. Floors levels are grouped together in pairs to create a clear vertical emphasis to the appearance of the scheme.

2.10 The top section is expressed as a distinct element which is set back from the St Peter's Sq frontage. Its lightweight metallic expression helps to reduce the visual sense of bulk at this point whilst responding to the lead attic elements of the surrounding buildings, such as the Town Hall Extension.

Anodised aluminium fins give the top section a 'texture' which further

serves to reduce both the visual weight of this element and the scale of the building as a whole. These fins also provide solar shading, as the deep stone mullions of the middle section of the building. The top section steps back by 4.5m along the frontage to St. Peter's Square. This creates a roof terrace that will animate the elevation and provide a useful amenity space for the tenants of the upper floors.

2.11 The proposals also include improvements to the immediate public realm with floor finishes below the colonnade and extending into the entrance hall intended to complement the emerging Council-led proposals for the St Peter's Square and Library Walk public realm.

External lighting will be provided around the perimeter of the building to focus on the façade and will incorporate cut-off shades to reduce light pollution. Up-lighting will be installed to accentuate the ground floor colonnade and roof terrace.

2.12 Materials have been selected for quality, sustainability and to reflect the local context. As such, the main elements of the building will be constructed from Portland-coloured reconstituted stone to match the appearance and texture of the Central Library. Additionally, it will feature natural anodised aluminium fins, a curtain walling system and extensive areas of high performance glass.

2.13 The servicing strategy is to concentrate all delivery and refuse collection activity within the George Street frontage. There would be no servicing activity from St Peter's Square or from the Oxford Street frontage. Small vans would be able to gain access to the basement parking area via the entry/exit ramp and would be able to turn within the basement so as to be able to enter and leave the site in forward gear. Larger goods vehicles would service from George Street, recognising that there would be a need to amend existing waiting and loading restrictions on George Street and there would be a loss of some existing on-street parking bays.

2.14 The basement car park will provide 71 car parking spaces and 80 cycle spaces at ground level.

2.15 The five trees situated on the Oxford Street frontage of the building will need to be removed to facilitate the safe construction of the building but it is proposed that replacement specimens will be provided in locations to be agreed with the City Council. The four specimens located on the St Peter's Square frontage to the building will be remained in situ during the construction period, with appropriate protection provided.

2.16 In addition to the planning application forms, certificates, notices and drawings, the following documents have been submitted in support of the planning application:

- Design and access statement
- PIPG15 Statement
- Environmental standards statement/ Acoustic assessment/ Wind assessment
- Crime impact statement
- Waste management
- Radio and TV reception assessment

- Sunlight, daylight, and overshadowing assessment
- Arboricultural survey and implications report
- Phase1 Habitat survey and implications report
- Archaeological desk based assessment
- Framework travel plan
- Transport assessment
- Phase1 Preliminary ground conditions survey assessment.

### **3.0 Conservation Area Consent 091752/CC/2009/C2**

3.1 The existing Elisabeth House has suffered from a deteriorating condition, internally and externally, for many years and this has resulted in a poor appearance within the broader area. It is some 40 years old and commercial assessments show that there is little or no demand for occupation by high value, knowledge based companies, and a comprehensive refurbishment would involve stripping the building back to the structural frame and floor slabs which would be prohibitive in terms of cost to refurbish to a high (grade A) standard.

3.2 In assessing the contribution that the existing building makes to St Peter's Sq and the conservation area it is noted that when the Square was first laid out in the late 18th century, it was conceived as a formal space providing the setting for an impressive church, St Peter's Church and at first the buildings that surrounded the square were of consistent scale. Over time development plots were amalgamated and the footprint and height of buildings increased, so that by the early 20th century, the character of the space had greatly altered.

3.3 Two large scale buildings currently form the corners of Lower Mosley Street, the Midland Hotel and Peter House. Both have an acceptable height and scale within the Square and the curved façade to Peter House responds positively to the line of Oxford St at this point.

3.4 As a large development that helps define St Peter's Square, Elisabeth House has visual and townscape importance. Its horizontal appearance however is at odds with the predominant vertical rhythms of the Manchester streetscape, and its uninteresting elevations contribute little to the character of the Conservation Area. This poor impact is compounded by the detailed design of the facades and the facing materials which are poor. The corner treatment at both Oxford Street and Dickinson Street, where the upper floors cantilever out, is visually weak and the ground floor retail units with their poor quality shopfronts detract from the public realm. The building also lacks any obvious entrance fronting St Peter's Square.

3.5 In views in and out of the Square, Elisabeth House has a poor impact within the townscape. Looking along Oxford Street the curved facade of the building frames the view to a weak corner and with its horizontal style and insufficient height, the building is unsuccessful in marking the edge of the Square. Seen from Lower Mosley Street and Peter Street, the building also lacks scale and presence. In George Street, the poor image of the low scale elevation is 'dull' and mean. In the views looking along Dickinson Street, the lower element of the façade and the overhanging upper storeys do not create a good townscape image.

3.6 For the above reasons the applicant concludes that the existing building has no architectural or historic merit and makes no positive contribution to the character of the area or the conservation area within which it is located

#### **4.0 PUBLICITY**

4.1 The planning application has been advertised as:

- a major development;
- affecting the setting of listed buildings;
- affecting a conservation area; and
- a development in the public interest.

Site notices have been displayed and businesses and residents in the area notified of the application.

#### **5.0 CONSULTATIONS**

5.1 Four objections have been received from residents, 3 from Tuscany House on Dickinson St, including comments on behalf of the management company to the building, and 1 from Lancaster House on Whitworth St. The following points are made;

- demolition of the existing building will be disruptive to local residents and there should be control of such activity
- removal of any mature trees is undesirable and should not be removed unless absolutely necessary
- the proposed 14 storey building is inappropriately large within St Peter's Sq and would obstruct light and views for residents in Tuscany House.
- Tuscany House residents require 24 hour vehicle access and construction traffic should not be allowed from Dickinson St.
- no parking spaces should be removed from outside Tuscany House and any parking bays removed from surrounding streets should be replaced so residents can park unhindered and safely
- residents only parking on Dickinson St should be considered to take account of any reduction in on street parking
- the hours of working and noise levels, particularly at weekends and night time, should be limited during the construction stage so that residents are not unreasonably affected.

5.2 The following consultation responses have been received.

City Centre Regeneration - The proposal to redevelop the site following demolition of Elisabeth House is supported.

Contaminated Land Section - The desk study information provided is adequate and the following information is requested; site investigation proposals, site investigation report, final risk assessment, remediation strategy, and post site works verification report.

Environmental Health - Recommends conditions relating to delivery times, fume extraction, acoustic attenuation for the building and plant and the class A3 use, and hours of operation, be attached to any permission granted.

Engineering Services - No major objections to the proposals

Environment & Operations (Trees) - No objection subject to retained trees being protected during redevelopment.

Greater Manchester Ecology Unit - No objections

Commission For Architecture And The Built Environment - In responding to the applicant the Places Matter Design Review considered the application site important in achieving the City's overall vision for St Peter's Sq and as site along the Oxford Rd Corridor. It was important to see the scheme within the wider context of plans for the growth of the City and its role to provide prime office space as a draw for business and to help the City continue to sustain its role as a major commercial centre in the UK.

Overall the scheme was well considered and in general was likely to achieve the result that the challenging brief for the site demands. The height of the new building was an issue within the context of the development of the City and the way it steps back from the existing street frontage made a polite gesture to the civic buildings opposite. The triple height lobby with its proposed use was considered to have the potential to contribute to a redesigned public realm in the Square.

There was support for use of the ground floor within the building being open to the public and the possibility of a link between Oxford St and Dickinson St could be considered. There was evidence that work to mitigate the height of the building by creating a larger scale to the facade while limiting the horizontal expression. The pale stone-like facade should help to further reduce the massing of the building and make it blend more quietly with the background.

Whilst there was support for the idea of the facades being modelled to compliment their particular aspects more detailed work was suggested to test that this can be achieved.

Overall there was support for the project and the effort to make use of the street to the east was applauded, with the question asked if it could be protected from the weather in some way. The height of the building would be most obvious from Peter St but in general what would be most noticeable was the welcoming multiple height ground floor space. More permeability through the lobby for the public, which would provide pedestrian activity to support the cafe bars, would be welcomed.

GMPTE – No objections to the proposals.

Greater Manchester Police - Supportive of the proposal subject to the detailed recommendations of the Crime Impact Statement being implemented.

Environment Agency – No objection in principle but recommended a planning condition related to any ground contamination found during development.

The Historic Buildings and Conservation Areas Panel - Believes the existing Elisabeth House successfully responds to the context of adjacent buildings and St. Peter's Square space within which the civic buildings and Midland Hotel remain the dominant features. This should continue to be the case with the appropriate redevelopment of the Elisabeth House site, but would not be with the current proposal.

The treatment of the development as a single entity rather than attempting to visually subdivide the elevations to replicate a more varied street scene of buildings on smaller plots is welcomed. There may be an argument for a large iconic building turning the corner onto Oxford Street but the panel considered the scale of the proposed building, which would set a whole new scale for the square, to be wholly inappropriate. As such it would destroy the human scale of the space, ruining the visual relationship that currently exists between the Central Library and Elisabeth House when viewed from Peter Street. It would also take all the sunlight off the space with the existing sitting-out space left in shadow. The 'fin' feature only serves to emphasise the unacceptable scale of the proposal. In addition to the visual impact the proposal would also represent a perceived diminution of the civic importance of the space and its role in the social history of the City. A lower building should be proposed and the apparent height should be reduced further by, for example, setting back the top one or two storeys.

The architecture of the proposal is dishonest as a fourteen storey building is being designed to look like a building of half the height; a visual effect that only becomes apparent when comparing the height to others fronting the square. Unlike the existing buildings around the square, the geometrical proportions of the proposed building are ill conceived and the implications of the exaggerated verticality, including on the square, need to be reconsidered. There is no attempt to humanise the building scale and the scale of detailing on the lower levels (particularly at ground level), which instead have an oversized three-storey colonnade. The Town Hall Extension was noted as a large building which works successfully at a number of scales including the detailing at ground floor. Notwithstanding these comments and putting to one side the issue of scale there was some support for the architectural language being employed.

The proposed building exhibits a poor relationship between the external appearance and internal layout; in particular, a strongly symmetrical frontage to St. Peter's Square with an off-centre main entrance. Careful reconsideration of the proposed elevation materials is required. In particular, the proposed use of a man-made 'stone' (i.e. concrete) for the elevation treatment was considered wholly inappropriate (for one reason due to its poor weathering capability, which is uncharacteristic of natural stone). An appropriate natural stone should be used and include a ground floor material and detail that can deal with weathering from rainwater splash-back as is common on older buildings in the City Centre.

The proposal prejudices the outcome of the consideration of the future design and function of St. Peter's Square, for example by deterring sitting out by overshadowing and by setting restrictive parameters by taking the proposed built form to the back of footway line, which could prove to be short sighted. The proposal for the square should inform the development of the Elisabeth House site. There was concern that the proposal appeared to presume a number of changes to the use of adjacent highways in advance of any scheme for the square. Similarly, the proposal to illuminate the building was questioned, not just on grounds of sustainability but also regarding the visual relationship of the illumination schemes for this building and the wider refurbished square.

The illustrative material was considered to be misleading in terms of the impression of the height of the proposed building relative to adjacent buildings. In addition, the submitted information should include sun-path/shadowing information at key times of the day and year to confirm the impact on St. Peter's Square.

While noting a part of the justification for the proposal is to increase the supply of 'A' Grade office accommodation within the City Centre, the Panel did not consider this sufficient to justify a development that pays insufficient regard to the character of the conservation area location and the settings of nearby listed buildings.

## **6.0 ISSUES**

### National Policy

#### 6.1 Planning Policy Statement 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 this development which involves urban regeneration, a high quality and safe mixed-use scheme that would help to create a more vibrant place is considered to be fully in accordance with PPS1.

#### 6.2 Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth.

PPS4 is firmly based on the principles of sustainable development and the need to sustain and enhance economic growth of City Centres for the benefit of all. Key issues include the need to plan for growth and growing City Centres, to tackle exclusion by ensuring access for all to a wide range of everyday goods and services and to promote sustainable patterns of development and less reliance on the car. The redevelopment of this site within the heart of the conurbation, providing a range of facilities that are available to the general public in a highly accessible location would be consistent with PPS4

#### 6.3 Planning Policy Statement 22 (PPS22): Renewable Energy

One of the key principles contained within PPS22 is that development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures. The scheme would incorporate significant energy saving strategies to limited use of energy, is assessed as achieving an excellent Breeam rating, and the possibility of solar hot water collectors is being explored. It is considered that the scheme complies with PPS22.

#### 6.4 Planning Policy Guidance Note 15 (PPG15): Planning and the Historic Environment

PPG15 states that in considering an application for works which affect a conservation area or nearby listed building there is a need to have special regard to certain matters, including the desirability of preserving the setting of the historic buildings and conservation area. The scheme has been designed to reflect the historic context and the architecture of the listed buildings on the opposite side of St Peter's Square. This includes the provision of a large scale colonnade and a clear definition of a bottom, middle and top to the scheme. The materials have also been chosen to complement the historic buildings in the Square. It is considered that any impact would be positive and therefore it is considered that the proposal complies with guidance within PPG15.

#### 6.5 Planning Policy Guidance Note (PPG13): Transport

The scheme would minimise the need to use the private car by providing and strongly promotes the use of public transport, walking and cycling. The location, scale, density, design and mix of uses within the scheme would help reduce the need to travel, reduce the length of journeys and make it safer and easier for people to access jobs, and services by public transport, walking and cycling and would therefore be consistent with PPG13.

#### Planning Policy Guidance Note 16 (PPG16) Archaeology and Planning.

The study in support of the application identifies levels of development on the site in both the 19th and 20th centuries that any below ground remains have been destroyed.

#### 6.7 Planning Policy Guidance Note 24 (PPG24): Planning and Noise

PPG24 outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which will generate noise, introduces the concept of noise exposure categories for residential development, encouraging their use and recommending appropriate levels for exposure to different sources of noise and advises on the use of conditions to minimise the impact of noise. Subject to the use of conditions the scheme is considered consistent with PPG24

#### 6.8 Regional Spatial Strategy (RSS) for the North west.

The RSS was adopted in September 2008 and replaces the previously published Regional Planning Guidance. The RSS provides a framework for development and investment in the region over the next fifteen to twenty years. There are relevant policies in the RSS related to this proposal. These are as follows:

**Policy DP2 - Promote Sustainable Communities**

The scheme would aim to meet the diverse needs of existing and future residents, promote community cohesion and equality and diversity, be sensitive to the environment and contribute to a high quality of life.

**Policy DP3 - Promote Sustainable Economic Development**

The scheme would contribute to sustainable economic growth.

**Policy DP4 - Make the Best Use of Existing Resources and Infrastructure**

The scheme would be consistent with the regional and sub-regional spatial frameworks (Chapter 5) and sub-regional policies (Chapter 10- 13; 10 being relevant to Manchester), by:

- 1 building upon existing concentrations of activities and existing infrastructure
- 2 not requiring major investment in new infrastructure.

The development would accord with the following sequential approach:

- 1 First, using existing buildings (including conversion) within settlements and previously development land within settlements;
- 2 Second, using other suitable infill opportunities within settlements
- 3 Third, the development of other land where this is well located in relation to housing, jobs and other services and infrastructure and which complies with the other principles in DP1-9.

**Policy DP5 - Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility**

The scheme would be located so as to reduce the need to travel, especially by car. It would be located in an urban area which has a strategic network where public transport is well provided. It would be genuinely accessible by public transport, walking and cycling.

**Policy DP7 - Promote Environmental Quality**

Which states that environmental quality (including air, coastal and inland waters) should be protected and enhanced, including by:

- 1 Understanding and respecting the character and distinctiveness of places and landscapes;
- 2 The protection and enhancement of the historic environment;
- 3 Promoting good design in new development and ensuring that development respects its setting taking into account relevant design requirements
- 4 Reclaiming derelict land;
- 5 Maximising opportunity's for the regeneration of derelict or dilapidated areas;

MCR1 and MCR2 are the key sub-regional policies that relate to the site. The proposals are generally in accordance with the policy framework set out in these policies.

#### 6.9 Unitary Development Plan (UDP)

The application is considered to be consistent with UDP Policies and in particular with policies I3.1 (Employment & Economic Development - Design of Commercial Development) E1.1 (Environmental Improvement & Protection - Air Pollution), E1.4 (Environmental Improvement & Protection - Noise Control), E1.5 (Environmental Improvement & Protection - Energy Conservation), E2.7 (Environmental Improvement and Protection) E3.4 (Environmental Improvement & Protection ), E3.5 (Environmental Improvement & Protection - Safe Environments), T3.7 (Transport - Cycle Parking), L1.6 (Leisure & Recreation), RC3 (Mixed Uses), RC4 (Environment), RC6 (Tourism), RC17 (Car Parking), RC18 (Pedestrians), DC9.1 (New Commercial & Industrial Development - Access for Disabled People), DC10.1 (Food & Drink), DC10.2 (Food & Drink) , DC26 (Development and Noise).

6.10 It is considered that the scheme would enhance the appearance, character and setting of the St Peter's square and George St Conservation Areas and the nearby listed buildings in accordance with policies E3.8 (Environmental Improvement & Protection - Conservation Areas), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings). The proposal is also consistent with the Small Area Framework for this area (policy RC20 - Area 17) building on significant recent developments in the area.

6.11 Compliance with the relevant policies within the UDP is evidenced in the following sections of the report.

#### 6.12 Environmental Impact assessment

It is considered that the supplementary information has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposal and any mitigation required. The scale of the development is appropriate for a city centre context, would reuse a previously developed site, allow greater use of public transport, and would improve conditions for pedestrians. It

would assist regeneration of the City and is unlikely to result in significant or unusual adverse impact for local residents. The impact of the development would not have more than a local impact and would support the City's objectives of making the Centre a better place to live, shop, invest, and visit. The scheme is not likely to have harmful environmental effects. With reference to the Town and Country Planning (Environmental Impact assessment) (England and Wales) Regulations 1999 and Circular 2/99 (The Regulations) an environmental impact assessment is not considered necessary.

Supplementary information was provided on the following:

- Regeneration and socio-economic impact;
- Urban design and visual impact (i.e. townscape and views);
- Historic environment (i.e. heritage context);
- Microclimate (i.e. ground-level wind conditions, sunlight/daylight);
- Local natural environment (i.e. ecology, and trees);
- Transport issues;
- Ground Conditions and Contamination
- Noise and vibration;
- Sunlight/daylight/shading
- TV and radio reception;
- Sustainability.

#### 6.13 The Scheme's contribution to regeneration

Regeneration is an important planning consideration. Over the past fifteen years, the City Council has had a considerable amount of success in terms of regenerating the city centre. The scale of activity in the St Peter's Sq area because of its accessible location offers significant potential to contribute to the City's economy. The Manchester City Centre Strategic Plan 2009 to 2012 states that St Peter's Square should strengthen its commercial position.

The Civic Quarter has been identified as a regeneration priority by the City Council. It is envisaged that the area around St Peter's Sq will become a new commercial destination in the City providing opportunities for new, Grade A, large floorplate commercial offices similar to those developed successfully at Spinningfields and Piccadilly. This is considered to be essential to the ongoing success of the City Centre. Elisabeth House offers a major opportunity to provide the type of commercial product identified in the strategy and therefore its development would be wholly consistent with the City's regeneration objectives.

The immediate area around the application site benefits from a wide mix of uses and, crucially, is associated with the Commercial Core, the Oxford Rd Corridor, Manchester Central and the Conference Quarter, and the Metrolink transport facilities. The Square therefore has a high volume of activity throughout the day and evening from people using it as a destination or to access other parts of the Centre.

In light of the prominence of the location, the site's potential regeneration benefits need to be considered within the wider context of the City Centre. In order to make an appropriate contribution to regeneration, the site should be developed to the

highest quality and provide a range of complementary uses with a positive relationship to the functions and access that the area provides.

The design of the scheme is to create a vibrant new asset for the city centre, creating vibrancy at ground floor level, and attracting people to all the scheme's street frontages and to the wider St Peter's Sq. This will encourage permeability and footfall.

There would be a number of economic regeneration benefits. It would create an urban environment which is attractive to all those who want to work in and visit the area and help to ensure that the City Centre is competitive with the other regional cities nationally and beyond Britain. It would help to strengthen the retail and business sectors and would be accessible to all users offering a safe and accessible environment. It would add to the diversity of vital functions and activities, promote additional investment opportunities and enhance the City's distinctive quality of architectural and historic fabric.

The scheme would help to continue the regeneration of the City Centre and support growth in the tourism and visitor economy. In addition, the development would have a positive impact on the labour market by supporting employment growth and employment opportunities for local residents and deprived inner city wards.

#### 6.14 CABE/ English Heritage Guidance on Tall Buildings

One of the main issues to consider in assessing this proposal is whether this is an appropriate site for buildings of the size proposed. In order to assess this, the proposal has been thoroughly assessed against UDP Policies, PPG 15 (paragraphs 5.3.1 and 5.7.0) and the following criteria as set out in the Guidance on Tall Buildings document published jointly by English Heritage and The Commission for architecture and the Built Environment (CABE):

##### Relationship to Context

The Design Statement details the analysis undertaken. Key considerations were the site's position within a major civic space, proximity to major transport facilities, its siting at the visual terminus of the Oxford Rd Corridor, and its position at the junction of the important conference and business districts.

A visual assessment has been prepared and includes a number of viewpoints into the Square which enabled preparation of verified modelled computer generated and rendered images of the proposal from each of the viewpoints.

It is considered that the replacement of what is currently an undistinguished building of little aesthetic or architectural merit with a scheme that is contemporary, which relates well to its surroundings and is not unduly intrusive would be of significant benefit to the site and its environs.

##### Relationship to Transport Infrastructure

The site is well served by a variety of sustainable modes of transport. The potential for travel by foot and cycle to and from the site is high, with a wide variety of important destinations situated within an acceptable walk or cycle distance of the site. Cycle parking facilities would be provided within the basement car park of the development.

The site is located within close proximity to Oxford Rd Station. There are bus stops locally, and the free Metro-shuttle bus service, which provides access to Manchester's main rail and bus stations, Direct tram journeys can be made to all destinations on the network from St Peter's Sq.

#### Architectural Quality of the Building

The proposals are designed to integrate with both the immediate surrounding context and the wider city context. The scale of the development would act as a marker at a key point of entry into St Peter's Sq and the improvements to the public realm would establish a visual and physical connection with the broader Civic Area that includes the Square.

The use of quality, robust and appropriate materials seek to create a landmark development with a strong identity. Care has been taken to conceal roof top plant and lift overruns within building envelopes to maintain integrity of form and ensure that clean lines are maintained across the skyline.

#### Credibility of Design

The application proposals have been prepared by a client and experienced design team familiar with the issues associated with developing high quality and tall buildings in city centre locations and with an exceptional track record and capability to deliver a project of exceptional quality.

#### Contribution to Public Spaces and Facilities

The existing building is a product of its time which provides limited ground floor active frontages which together with a poor public realm combine to create a poor pedestrian experience.

The new development proposes new hard landscaped areas, related to active ground floor retail uses providing activity and natural surveillance at different times of the day with strong pedestrian connections. The development would be used by many people, and would provide new linkages from the Oxford Corridor through the Civic Centre to the conference quarter and central business areas.

#### The Effects on the Local Environment

Each of these points is taken individually.

#### Sunlight/ Daylight/ Shading

Sunlight, daylight, and shading assessments to existing buildings surrounding the site have been carried out to determine the possible impacts the development may cause. This study has concluded that after redevelopment the majority of rooms in Tuscany house will retain acceptable levels of daylight. Overall the impact on Tuscany House in terms of daylight and sunlight is not considered to be of significance when measured against relevant BRE Guidelines. It is also assessed from a transient overshadowing analysis that overshadowing to some areas of Tuscany House will only occur at limit times of the year around the Summer Equinox (21 June).

#### Night-time Appearance

The proposals would result in a direct change in surrounding receptors' views of the current night time scene, which is considered to be a permanent impact of minor adverse significance and is mainly associated with the high rise nature of the development proposals. For Tuscany House residents this must be set in the context of there being an existing building of 7 storeys on the site.

#### Noise

It is inevitable with any major development that there would be some disturbance caused to those nearby during the site demolition and construction phase; this disruption is considered a localised phenomenon and is temporary in nature.

The survey indicates that the noise climate across the site primarily is determined by traffic flows on Oxford Street and while this can be controlled by glazing and ventilation specification for the scheme's occupiers it will be necessary however to limit noise emissions from all external plant to prevent disturbance within the new building and at neighbouring commercial and residential premises. A planning condition is to be proposed to ensure that appropriate mitigation measures are included within the scheme at detailed design stage.

#### Wind

An analysis shows that the proposed development will not give rise to any unacceptable areas for pedestrians to walk in the surrounding streets and that only George Street is predicted to encounter unacceptable conditions for prolonged standing or sitting. No unacceptable conditions are predicted for Dickinson Street, St Peter's Square or Oxford Street.

#### TV reception

A combination of a desk study and site visit identified that a potential area of impact to the south of the site that currently receives reduced digital free-view signals from the Winter Hill transmitter to the northwest. An inspection of this area suggests that most occupiers are likely to be receiving signals via cable or satellite. During construction the use of tower cranes on-site may interfere with TV, Radio and Satellite broadcast signals to residents immediately to the south of the site and a localised area to the north. As this will only occur during this temporary construction

phase of redevelopment, the residual impact is considered to be of negligible significance.

Once development is completed, properties located to the south of the application site could still experience a reduction in television signal strength

This matter could be covered by a suitably worded condition.

#### Contribution to Permeability

The site has a highly prominent location at the intersection of principal cross City Centre into the City Centre. The proposed development would enhance views along the Oxford Road Corridor and into St Peter's Sq.

The proposed building by its ground floor layout and functions will add positively to St Peter's Sq and would increase the level and ease of use of the Square.

A new publicly accessible arcade through the site linking Dickinson St with Oxford Rd would increase permeability and forms the entrance to office and hotel uses.

#### The Provision of a Well-Designed Environment

The modern design of the building and the new, open aspect to the ground level accommodation will contrast positively with its surroundings. The site at ground level has been designed to respond to surrounding streets so as to provide a positive urban experience.

#### Sustainable Design & Construction

The Environmental Standards Statement accompanying the application for planning permission provides a detailed assessment of the physical, social, economic and other environmental effects of the proposed development and considers the proposals in relation to sustainability objectives. This document together with the Environmental Statement demonstrates that overall the proposals accord with this objective.

#### 6.15 Listed Buildings and Conservation Areas.

The impact of the development on listed buildings and conservation areas during construction is temporary. Good construction practices and the use of high quality hoardings will serve to ameliorate to a certain extent the potential impacts as a result of demolition and construction activities.

The development would see the replacement of a poor quality late twentieth century building of no heritage value, which detracts from its surroundings, both in terms of the character and appearance of the conservation areas that it immediately affects and the setting of a number of listed buildings. By enhancing the setting of nearby listed buildings and conservation areas, the proposed development is considered a positive intervention in the setting of the city's heritage assets.

The scheme would reinforce and strengthen the historic street boundaries of the site and this is considered beneficial in association with the creation of active frontages that will add positively to the character of St Peter's Sq and Oxford St. Whilst the new building would be higher than those currently around the Square the considerable size of this public space will mean that it is unlikely to have an over dominant impact on views in the area, or on the setting of listed buildings. The scale of the new building through its use of an obvious structural grid, a set back of accommodation at high level, and detailing that express a traditional base, middle, and top of the building as elements to the facades, will also provide a clear historic and positive reference to the important historic buildings in the Square. At ground level this positive relationship would be reinforced by the large colonnade along the front of the building and the obvious corners to the building at Oxford St and Dickinson St., and mirror the character of listed buildings on the opposite side of the Square. When seen in views on routes leading up to the Square the new building with its height, vertical proportions, and balanced division into base, middle and top sections, will create real visual interest and provide an effective 'landmark' that reinforces the size and shape of the Square without dominating or detracting from it.

Currently Elisabeth House has a harmful impact on the setting to the important listed buildings of The Midland Hotel, Central Library, and the Town Hall Extension. The new building however would not conflict with the large robust detailing and scale of the Midland Hotel and would, through its plan geometry, proportions and scale, complement Central Library as positively marking entry points into the Square. The restrained design of the new building would also complement the appearance and setting of the Town hall Extension and the listed Lutyens War Memorial Garden and Cenotaph. The listed Dickinson House is 'palazzo' in style and can only be seen in close views with the proposal. In this context the greater height of the current scheme will not be apparent, but its better design will provide a more interesting and acceptable setting at the corner of Dickinson St with George St.

#### 6.16 Microclimate

In considering the impact of the proposals on microclimate wind, shadow and dazzle studies have been carried out. These areas have been discussed under the Effect on Local Environment section above.

#### 6.17 Amenity

As discussed above within the Effect on Local Environment section, it is considered from the results of the shadow study that there would be no adverse impact on surrounding buildings. It is considered therefore that properties in the vicinity of the site and further away would not be adversely affected by overshadowing as a result of the scale of the building to such a degree that amenity would be significantly affected.

With regard to the proposed uses on the site and potential noise, it is considered that the buildings would be suitably insulated to prevent any significant break out of noise, to prevent unacceptable noise transference between the different uses within the building and to prevent occupiers of the buildings being disturbed from external noise sources.

#### 6.18 Safety and security

The density and mix of uses would bring significantly more activity into the area, allowing adjacent streets and the riverside to be overlooked and provide public space that would be used throughout the day and night, contributing towards a safe and secure environment. The ground floor areas of the buildings would contain retail, café, restaurant, and office entrance, maximising the active frontage to existing streets and new public space, and providing an opportunity for related seating areas to spill out into the central public space. All these measures would encourage passive surveillance.

Greater Manchester Police have been involved in pre-application discussions and have provided a Crime Impact Assessment that looks in detail at potential crime and disorder issues, which could affect the proposed development and neighbouring area. The applicant has confirmed that recommendations will be implemented where practicable. A condition requiring Secured by Design accreditation is proposed.

#### 6.19 Socio-Economic Impact

The Proposed Development accords with the strategic aims and socio-economic policy priorities for large-scale developments in Manchester City Centre. It will revitalise the Application Site which is currently under-used and suffers a lack of investment. The considerable new public realm will re-connect the site with Deansgate, Blackfriars Road, Market Street and the Cathedral gardens, whilst acting as a Gateway site to redevelopment on the northern and western fringes of Manchester City Centre.

#### 6.20 External Appearance

It is considered the development would be of the highest design quality, which is key in the delivery of the scheme and its regeneration benefits. The architectural form together with the extensive public realm and the mix of use would create a vibrant landmark development.

#### 6.21 Highway and Traffic Implications

A transport assessment has been submitted to support the planning application. The focus of the assessment is on the potential impact of traffic generated by the proposed development, although it also covers the possible impact of the construction period on traffic movement.

Whilst there maybe some temporary localised impact during construction, it is considered that following completion there would only be a small increase in vehicular traffic. The assessment concludes that there would be no material impact on the local highway network.

Car Parking for vehicles is proposed within the basement, which has access off George St, and cycle parking at ground level which has associated changing facilities. As part of the applicant's commitment to green travel a travel plan framework for occupiers of the building has been submitted.

With regards to servicing, whilst some will take place from the basement, larger vehicles would have to service from George St. and this will mean the loss of some on street parking bays. The loss of parking spaces is something that nearby residents have expressed concern over but, on balance, the scheme would have good access to public transport and will operate a travel plan for occupiers and this will reduce possible impacts on highway use, including those associated with residential accommodation.

#### 6.22 Access

The proposals have been designed to incorporate inclusive design principles to both the external and internal environment. Additionally, the scheme has been designed to create a safe and secure environment to meet the needs of all its users.

#### 6.23 Public Open Space and Landscaping

The new elements of public realm and landscaping would function both as a feature of the development and would also add to the amount and quality of useable space in the City Centre and assist in terms of integrating areas to the north into the wider core area.

The site currently contains a number of trees. An integral part of the public realm strategy has therefore been to retain the trees fronting the Square but to remove those on Oxford St so as to carry out the development. These trees are those that a survey has shown as being in relatively poorer condition. The applicant has suggested that replacement trees should be considered in the context of the design competition for St Peter's Square. This is considered acceptable and a condition requiring tree replacement is proposed.

It is considered the approach to public realm/landscaping should ensure the creation of quality spaces, which would have high levels of pedestrian and visual connectivity. The character of the external spaces would also be defined by high quality materials, which would be both sustainable and useable. This is fully in accordance with the City Council's requirement for developments to be of the highest quality.

#### 6.24 Sustainability

The planning submission outlines how the development has been designed to maximise the use of energy efficient construction and management of spaces to minimise energy use, and some renewable technologies are being considered. Another key features of the development's sustainability includes a BREEAM excellent rating for the offices. Overall, the proposed development would accord with and contribute positively to the Environmental Standards set out in the Guide to Developments.

#### 6.25 Response to objectors comments.

The comments of the objectors have been addressed above but it should be noted that:

Issues in relation to noise and disturbance during construction would be dealt with under Environmental Health legislation. Similarly any measures relating to use of highways during construction, or to changes in parking provision and service arrangements on George St following construction, would be dealt with under Highways and related legislation.

With regard to the comments made by the Historic Buildings and Conservation Areas Panel it is important to note that the existing building is not listed, it is in poor condition and unlikely to be brought back into use in a way that would maximise the contribution the site should make to the Centre's economic and physical regeneration. The scheme has been brought forward in discussion with English Heritage and CABA has shown considerable support for the quality of the redevelopment.

#### 6.26 Conclusion.

This is a highly prominent site and is an acknowledged regeneration priority. It represents an important element in providing a more positive aspect the St Peter's Sq and the uses that are proposed, namely offices and café/ restaurants are all acceptable and appropriate in this area. The existing building makes a negative contribution to the area in which they sit and this has been acknowledged by some consultees. Therefore, the primary issue for consideration is the appropriateness or otherwise of the replacement scheme that is proposed.

The proposed scheme incorporates and responds to the local and city context; acting both as a marker and gateway to St Peter's Sq. The overall environment and linkages would improve for all of those who use the area.

The proposal is interesting and modern, and would be acceptable and appropriate in the city context, and with the surrounding heritage assets. This approach of introducing a modern building into a historic environment has worked successfully elsewhere in Manchester and the scheme respects the setting of the St Peter's Sq Conservation Area and the listed buildings associated with it. CABA has given support for the scheme.

The full impact of the scheme is set out fully in this report and the quality of the architecture and creation of new connectivity and public spaces, and the prospect of new investment and job creation fully comply with existing and emerging policies.

**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 a 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 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.

### **Conclusion**

#### Reasons for recommendations

The Council has taken the environmental information (as defined in the Environmental Impact Assessment regulations) into consideration and the proposal is in accordance with the UDP policies identified in this report. The recommendations are made on the basis that the proposal accords with the development plan, in particular policies I3.1, E1.1, E1.4, E1.5, E2.7, E3.4, E3.5, E3.8, T3.7, L1.3, R1.1 RC3, RC4, RC5, RC6, RC9, RC17, RC18, DC9.1, DC10.1, DC10.2, DC18.1, DC19.1, DC26 and policy RC20 (Area 8) of the City Council's Unitary Development Plan in that in that the development would make the area more safe and attractive; would be of a high standard of design and make a positive contribution towards improving the City's environment; there would not be any significant impacts on the residential amenities of adjoining occupiers; the development would include suitable landscaping; would reduce air pollution caused by vehicles by encouraging alternative forms of transport; would encourage energy conservation by being well served by public transport and by using high standards of energy efficiency within the development; would include measures which would lead to a safer environment; would promote regeneration and an improved environment; would include secure cycling parking facilities within the City Centre; would contribute to the mix of uses in the area; would be accessible at ground floor level for people whose mobility is impaired; would be in keeping with the character and appearance of the adjacent Conservation Areas and the settings of nearby listed buildings; would not expose existing or future residents to unacceptable levels of noise; and generally the proposal would provide a high quality facility within the area to the benefit of the wider surrounding community allowing the continuing regeneration of the locality ;

### **Recommendation**

The Head of Planning therefore recommends that the Committee

- a) **APPROVE** planning application **091751/FO/2009/C2**.
- b) **APPROVE** conservation area consent application **091752/CC/2009/C2**

subject to the following conditions and reasons.

Planning application 091751/FO/2009/C2.

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

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1991.

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:

Drawings; All stamped as received by Planning on 17.11.2009.

1659-A- L008, 009, 010,011,  
012,109,110,111,112,113,121,122,130,202,203,210,211,212,213, 300,301.  
1659-A-A 400, 401, 402.  
TM-09-1040-SK-DR-01.

Documents; All dated November 2009 and stamped as received by Planning on 17.11.2009.

Design and access statement (GVA Grimley)  
PPG15 statement (GVA Grimley)  
Environmental Standards statement (Hoare Lee)  
Crime Impact Statement (Greater Manchester Police)  
Waste Management (Glen Howells Architects)  
Radio and TV Reception Impact assessment (Taylor Brothers)  
Sunlight daylight and Overshadowing assessment (Edmund Kirby)  
Aborocultural Survey and Implications Report (Middlemarch Environmental)  
Phase 1 habitat Survey and Implications Report (Middlemarch Environmental)  
Archaeological Desk based assessment ( Uni. of Manchester)  
Framework travel plan (TPP)  
Transport Assessment (TPP)  
Statement of Consultation (GVA Grimley)  
Phase 1 Ground Condition Survey Assessment (Tier).

Reason: To ensure that the development is carried out in accordance with the approved plans, pursuant to policies of the Manchester Unitary Development Plan and RSS.

3) The development shall not commence unless and until samples and specifications of all materials to be used on external elevations have been submitted to and approved in writing by the City Council as local planning authority unless otherwise agreed 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 as specified in policies E3.6, E3.5, H1.2 and H2.2 of the Manchester Unitary Development Plan, the Guide to Development supplementary planning document and Planning Guidance and PPS1.

4) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards has been issued by Greater Manchester Police (adopting reasonable endeavours) and evidence of the accreditation has been submitted to the City Council as local planning authority, unless otherwise agreed in writing by City Council as local planning authority.

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

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

Reason: To ensure that the development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

6) a) Before the development hereby approved commences, a Preliminary Risk Assessment (PRA) 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 PRA shall be prepared by a suitably qualified person whose competence to carry out the PRA has been approved in writing by the City Council as local planning authority (an "Expert").

In the event the PRA identifies 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 (the Site Investigation Proposal Scheme, or SIPS) 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 SIPS shall be carried out, by an Expert before development commences unless otherwise agreed with the City Council as local planning authority and the Expert shall prepare a report outlining what measures, if any, are required to remediate the land (the Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority before development commences.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City 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 that phase is occupied, then any phase of the 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) which shall be submitted to and approved in writing by the City Council as local planning authority and the development of that phase shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason: To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

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

Reason: In the interests of amenity, crime reduction and the personal safety of those using the proposed development, pursuant to policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

8) No development shall commence unless and until samples and specifications of all landscape materials, including replacement tree planting, together with a layout plan identifying the location of the materials have been submitted to and approved in writing by the City Council as local planning authority unless otherwise agreed 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. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied, unless otherwise agreed in writing by the City Council as local planning authority. 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 is carried out pursuant to policies H2.1, H2.7, E2.6, E3.5 and H2.2 of the Unitary Development Plan for the City of Manchester and the Guide to Development.

9) The development hereby approved shall not commence unless and until a Construction Management Plan, including a Site Waste Management Plan and a plan layout showing areas of public highway agreed with the Highway Authority for use in association with the development during construction, has been submitted to and approved in writing by the City Council as local planning authority. The strategy shall include details on the timing of construction of scaffolding, the lighting and operation of cranes during construction, and a Human Impact Management Plan.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester and Guide to Development 2 (SPG)

10) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent', unless otherwise agreed in writing by the City Council as local planning authority. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before the building hereby approved is first occupied.

Reason: In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 of the Unitary Development Plan for the City of Manchester and the principles contained in the Guide to Development in Manchester 2 and PPS1.

11) Before use of the ground level retail units approved for Class A3 or A4 purposes commences, opening hours for the units shall be submitted to and approved in writing by the City Council as local planning authority. The units shall be operated outside the hours approved in discharge of this condition.

Reason: In order that the local planning authority can action the objectives both of protecting the amenity of local residents and ensuring a variety of uses at street level in the area, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester

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

Reason: In the interests of public and highway safety and the protection of residential amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

13) Before the development is first brought into use a scheme for the extraction of any fumes, vapours and odours from any kitchen areas within that relevant phase hereby approved shall be submitted to and approved in writing by the City Council unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of the amenity of occupiers of nearby properties, pursuant to policy H3.2 of the Unitary Development Plan for the City of Manchester.

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

Reason: In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies E1.1 and T3.1 of the Unitary Development Plan for the City of Manchester.

15) Before the development is completed a shop front and signage design strategy for the commercial units of that phase shall be submitted to and approved in writing by the City Council as local planning authority unless otherwise agreed in writing with the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the development is carried out in a satisfactory manner pursuant to policies H2.2 and E3.3 of the Unitary Development Plan for the City of Manchester and Guide to Development 2 (SPG)

16) Before the development hereby approved is completed, a paving and surfacing strategy for the public footpaths, vehicular crossings, and vehicular carriageways around the site shall be submitted to and approved in writing by the City Council as local planning authority. All works approved in discharge of this condition shall be fully completed before that relevant phase of the development hereby approved is first occupied, unless otherwise agreed 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 the Guide to Development 2 (SPG)

17) 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) Measure the existing television signal reception within the potential impact area, as defined in the submitted Environmental Impact Statement, 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 Office of Communications, and shall include an assessment of the survey results obtained.

b) Assess the impact of the development on television signal reception within the potential impact area identified in (a) above within one month of the practical completion of the development and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (a) above unless otherwise agreed in writing with the City Council as local planning authority.

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 effect TV reception and to ensure that the development at least maintains the existing level and quality of TV signal reception as advised in PPG 8 and pursuant to policy

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

Reason: In the interest of visual amenity and pursuant to policies H2.2 and DC18.1 of the Unitary Development Plan for the City of Manchester

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

Reason: For the avoidance of doubt and so as to provide direct access for all, pursuant to policy DC9.1 of the Unitary Development Plan for the City of Manchester and Guide to Development 2 (SPG).

20) The details of an emergency telephone contact number shall be displayed in a publicly accessible location on the site 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.

Conservation area consent application 091752/CC/2009/C2.

**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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The works 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:

Drawings; All stamped as received by Planning on 17.11.2009.

1659-A-L 008, 009.

Documents; All dated November 2009 and stamped as received by Planning on 17.11.2009.

Design and access statement (GVA Grimley)

PPG15 statement (GVA Grimley)

### **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: 091751/FO/2009/C2 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

### **Equal Opportunities**

The proposal will make the site and its development directly accessible to all members of the public, including those with mobility impairments.

### **Environmental Improvements**

The proposal will bring a significant improvement to the appearance of this site and the area generally.

### **Employment Implications**

The proposal will create jobs during construction and on occupation a number of jobs will be created.

HEAD OF PLANNING