Application Number	Date of Appln	Committee Date	Ward
140789/JO/2024	15th Aug 2024	23 Oct 2025	Hulme Ward

Proposal Variation of planning permission 123261/FO/2019 to reconfigure internal floorspace, alteration to the residential numbers and mix together with the size of the commercial floorspace, elevational alterations and alterations to landscaping and car parking layout and numbers

Location Arundel Street, Manchester, M15 4FQ

Applicant Logik Developments (Arundel Street) Ltd

Agent Mr Cameron Radford, Deloitte LLP

Executive Summary

The proposal seeks to vary planning permission 123261/FO/2019 to reconfigure internal floorspace, alter the number and mix of homes. elevational alterations and alterations to landscaping and parking.

Two objections have been received.

Economic 366 homes would be delivered and the DOT Building, a non designated heritage asset, would be refurbished. Internal changes are required to ensure that the building is complaint with up to date fire safety regulations. The number of homes would increase and would remain space standard complaint with an appropriate mix of sizes including larger properties suitable for families.

Social The changes have included a review of the schemes viability. It can no longer support an initial affordable housing contribution. This has been independently verified on behalf of the Council. A review mechanism is recommended to enable viability to be reviewed at a later stage when costs and sales are known. This would be secured by way of a legal agreement.

Environmental There would be minors changes to the ground floor layout including parking and landscaping.

Impact on local residents There would be no material changes to the previous conclusions in respect of daylight, sunlight, noise, overlooking, wind, air quality and TV reception. Where mitigation is required, this would be secured by planning condition.

Impact on the historic environment The proposal would lead to a low level of less than substantial harm. There would be no material changes to the level of harm caused than was previously considered the case under planning permission 123261. The public benefits remain sufficient to outweigh the level of harm caused.

Description

The site measures 0.5 hectares and is bounded by Arundel Street, Ellesmere Street, Worsley Street and the Inner Ring Road (IRR). It includes the 4 storey DOT building fronting Ellesmere Street and a single storey gym on Arundel Street. It is divided into two plots by Balmforth Street, an un-adopted highway. An area of green space at the top of Balmforth Street contains trees and the land rises, providing a buffer to the IRR.

The site is in the St George's area of the Hulme and has a prominent position on the IRR. The area is part of a ribbon of land that links different parts of the regional centre including Salford quays and Trafford where regeneration and renewal has been a priority for over 20 years. Its character is very different to more traditional areas of Hulme which is dominated by lower rise housing with some tower blocks. This area contains much larger city blocks defined by the larger buildings that once occupied the area but most recently has been defined by post-industrial blight.

The immediate context is largely residential with ancillary commercial, and leisure uses. Box Works, 6 storeys, is to the north with Moho, 7 storey, and Base, 8 storey, to the west fronting Ellesmere Street and Arundel Street. Buildings at St George's Island on the opposite side of the Bridgewater Canal are between 9 and 15 storeys. St George's Church, a grade II* listed building, has been converted into homes. The church is surrounded by a substantial former graveyard and its gates and gate post are grade II listed.

The site is within the Castlefield Conservation Area and the following listed buildings are nearby: Church of St George (Grade II*); Churchyard walls, gate, piers and gates at Church of St George (Grade II); Former Canal Flour Mills (Grade II); Hulme Lock Branch Canal (Grade II); Castlefield railway Viaduct Manchester Central to Dawson Street (Grade II); Rochdale Canal lock number 92 and Castle Street Bridge (Grade II); Merchants warehouse (Grade II); Middle Warehouse at former Castlefield goods yard (Grade II); Bridgewater canal offices (Grade II); 215-219 Chester Road (Grade II); Former Campfield Market Hall (Grade II); Former LNWR goods transfer shed (Grade II); and Former Liverpool Road station goods warehouse (Grade II).

The area has excellent links to public transport and pedestrian and cycle links to a wide range of shops, amenities and leisure facilities. The Bridgewater Canal towpath is immediately to the north and Deansgate/Castlefield transport interchange and the Cornbrook tram stop are within walking distance.

Background

Planning Permission 123261/FO/2019

Planning Permission was granted on 23 August 2019 (123261) to erect two residential blocks ranging from 8 to 23 storeys and to refurbish the DOT building to create 355 homes. The ground floor included commercial units on Arundel Street and in the DOT Building fronting Ellesmere Street.

31 parking spaces were included in the central courtyard, including 4 for disabled people and 361 secure cycle parking spaces. Access and servicing was from Ellesmere Street.

Non material amendments

This permission has since been the subject of two non-material amendments.

Non material amendment (134385) approved on the 12 August 2022 sought to update the internal configuration of the homes and social space and change the façade. It converted the DOT building to commercial space. This non material amendment introduced a phasing condition to the permission and identified an enabling and drainage works phase (identified as Phase 1). The applicant has confirmed that the Phase 1 works have been implemented and therefore the planning permission is extant.

Non material amendment (138299) approved on 30 October 2023 sought to extend the construction programme to allow for further design development. This extended the timescales for when the contractor for Phase 2 is appointed from 31 October 2023 to 31 December 2024, as currently reflected under Condition 43.

The Proposal

This application seeks further modifications to the scheme. Since the granting of the original planning permission, there have been changes in Building Regulations, particularly in relation to high rise buildings. Further design changes would increase the number of homes.

A second internal staircase is required to all levels of building 2, with adjustments to the internal core, to safety requirements. Adjustments are also proposed to the core of for Building 1 and the associated building services strategy. The floor to floor heights in Buildings 1 and 2 have been slightly reduced.



Building numbers

Internal reconfiguration of the ground floor would provide updated means of escape in line with Building Regulations. There have also been refinements to the residents' amenity, building management support spaces and rationalisation of functional spaces such as refuse/cycle storage.

The proposal would replace the commercial space in the DOT Building with 11, 2 bedroom, 4 person homes.

In addition, the proposal would alter the unit mix in Buildings 1 and 2 due to the impact of the above internal alterations. Elevational alterations would improve the thermal performance of the building but would retain the articulation and materials of the approved scheme.

Alternations to the landscaping are also proposed at levels 00, 08 and 01 within Building 1 and level 11 in Building 2. This has primarily involved the adjustment of the hard landscaping and planters to Worsley Street in response to fire appliance routs to the fire fighting cores.

The ground floor of Buildings 1 and 2 have been modified to increase the core footprint and plant space in response to Building Regulations, rationalise storage, improve resident access, and include additional amenities and support spaces.

The under croft of Building 1 retains 4 parking spaces, with an additional 20 spaces located externally within the courtyard. This has resulted in a reduction in car parking spaces from 31 to 24.

As a result of the changes to the apartment numbers and mix, together with changes in market conditions, the applicant has also submitted an updated viability report with the application. This will be considered in further detail below.

The planning submission

The application was supported by the following information:

- Design and Access Addendum;
- Air Quality Technical Note;
- Crime Impact Statement;
- Energy and Environmental Standards Statement Addendum;
- Energy and Overheating Statement;
- Financial Viability Assessment;
- Fire Statement;
- TV survey;
- Ventilation Strategy Technical Note;
- Phasing Plan;
- Acoustic Statement;
- Waste management strategy;
- Transport and Travel Plan note.

Environmental Impact Assessment

The applicant had previously has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 alongside planning application 123261/FO/2019 and has considered the following topic areas:

- Construction Methodology and Programme;
- Historic Environment;
- Townscape and Visual Impact;
- Sunlight, Daylight and Overshadowing;
- Wind Microclimate;
- Air Quality;
- Noise and Vibration.

The proposal is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. The site is approximately 0.5 ha is above the indicative applicable threshold of 150 residential units.

An EIA was previously carried out in relation to the above topic areas as there was the potential for the proposal to have a significant effect on the environment.

In accordance with the EIA Regulations, this ES sets out the following information:

- A description of the proposal comprising information about its nature, size and scale;
- The data necessary to identify and assess the main effects that the proposal Is likely to have on the environment;
- A description of the likely significant effects, direct and indirect on the environment, explained by reference to the proposals possible impact on human beings, water, air, climate, cultural heritage, townscape and the interaction between any of the foregoing material assets;
- Where significant adverse effects are identified with respect to any of the foregoing, mitigation measures have been proposed in order to avoid, reduce or remedy those effects; and
- Summary, in non-technical language, of the information specified above.

The applicant has undertaken a review of the EIA and has considered that the current Environmental Impact Assessment conclusions are not affected by the proposed amendments and that the required mitigation requires adequate and relevant. Updated technical notes have been provided in respect of Air Quality and Noise.

Interest - Members are advised that the City Council has an interest in this application site as landowner and are reminded that they must disregard this and exercise its duty as Local Planning Authority only.

Consultations

Local residents/public opinion

The proposal has been advertised as: a major development; of public interest; being an EIA development; and, affecting the setting of a conservation area and a listed building. Site notices were displayed around the site. Local residents and businesses were notified.

Two objections have been received and the comments can be summarised as follows:

- Concern that the height and position of the main tower would result in light reduction in neighbouring residential apartments;
- It is not clear how the large scale and especially the height of the building is in line with the conservation area and other buildings on Ellesmere Street. The scheme should have been the renovation of the DOT cycles building and preserve the area.
- Residents around the area also deserve a period where no construction is undertaken, there have been a number of schemes developed or remediated since at least 2014

Highway Services no objection in reduced parking and confirm that a large vehicle can access the revised parking arrangement. Vehicular, cycle and pedestrian access would be as approved. The updated TA has confirmed that the recently implemented CPZ would not impact on the servicing strategy. A large refuse vehicle

can access both loading bays. The increase in homes would have a negligible impact on trip generation.

Environment Health the updated acoustic assessment is acceptable and should be secured by planning condition.

Design for Security at Greater Manchester Police have no comments.

The Development Plan

The Development Plan consists of: Places for Everyone, The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan (UDP) for the City of Manchester (1995).

The Core Strategy is the key document and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved.

Planning applications in Manchester must be decided in accordance with Places for Everyone, the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

Places for Everyone Places for Everyone

Places for Everyone Places for Everyone is a joint Development Plan Document between the nine Greater Manchester Authorities. The plan was adopted on March 2024. The relevant policies are as follows:

Objective 1: the proposal would provide 366 homes in a sustainable location.

Objective 2: the proposal would develop a brownfield site close to jobs, amenities and public transport. The 1 and 2 bed homes would be space standard compliant and accessible.

Objective 3: jobs would be created during construction.

Objective 4: this proposal would develop a vacant, poor quality strategic site and create a high density development.

Objective 5: It would reduce inequalities and improve prosperity – The site is close to employment, amenities and educational opportunities.

Objective 6: The proposal would be within walking distance of bus and tram services.

Objective 7: This low carbon proposal includes measures to improve biodiversity.

Objective 8: Biodiversity would be improved and surface water would be managed.

Objective 9: There are amenities and services nearby.

Objective 10: Travel planning would promote use of public transport and the use the local amenities.

JP-Strat14 – A Sustainable and Integrated Transport Network – This would be a high-density proposal close to all public transport. Connections around the site would be improved for pedestrians and cyclists.

JP-S1 – Sustainable Development – The contamination at this brownfield site is not complex. The buildings would be energy efficient and would meet the highest sustainability standards. Biodiversity would be improved through landscaping. Water and recycling would be managed to support a sustainable development.

JP-S2 – Carbon and Energy – The proposal would exceed current Building Regulations.

JP-S4 – Flood Risk and the Water Environment – The proposal would be supported by a surface water drainage system.

JP-S5 – Clean Air – The site is in the Manchester AQMA but this proposal would not exacerbate current air conditions. Impacts from dust and construction and earthwork activities would be controlled. When the site is operational, a travel plan would promote the accessible location and promote public transport, walking and cycling. There would be cycle spaces including washing facilities.

JP-S6 – The waste hierarchy would include recycling. Waste would be minimised through the construction process.

Policy JP-S7: Resources would be consumed during construction. The proposal would be highly efficient and low carbon.

Policy JP-H3: The proposal would include homes in a variety of sizes. All would be M4(2) compliant.

Policy JP-H4: This is a density proposal in a sustainable area.

JP-J1 – Supporting Long Term Economic Growth –Local employment would be created through construction and would be supported by a Local Benefit Proposal.

JP-G1 – Landscape Character – The tree planting and hard and soft landscaping enhance the setting of the proposal.

JP-G2 – Green Infrastructure Network – Trees would be planted along with other planting. Off site biodiversity gains would be secured.

JP-G6 – Urban Green Space – The public realm would improve the setting to the building and the highway network.

JP-G7 – Trees and Woodland – Native trees would be planted. Biodiversity and the character of the area would be improved. Trees would be planted in amenity areas.

JP-G8 – A net enhancement of biodiversity and geodiversity – The tree planting and vegetation would improve biodiversity on site.

JP-P1 – Sustainable Places –Public realm and landscaping would enhance the buildings setting and improve the character of the area. The building would be energy efficient and meet current standards. Water would be managed in line with sustainability principles. The proposal and the public realm would be accessible.

JP-P5 – Education, skills and knowledge – A social value strategy would promote access to employment for local residents during construction and when the building is operational. The applicant would work with the Council's works and skills team to ensure that local residents have access to jobs.

JP-P6 – Health – The proposal would support active travel to and around the site in the interest of health and wellbeing.

JP-P7 – Sport and Recreation – The proposal would create on site amenity space and public realm which promotes health and wellbeing for residents, visitors and those working at the site.

JP-C1 – An Integrated Network – The proximity to public transport should minimise car trips. The highway would be improved to ensure safe pedestrian movement. Secure cycle spaces would be created. Construction trips would be managed to minimise the impact on the local highway network.

JP-C3 – Public Transport – The site is close to accessible forms of public transport and the pedestrian environment and walking and cycling routes would be improved.

JP-C4 – The Strategic Road Network – Modelling has demonstrated that the proposal would not result in any undue harm to the capacity of the highway network. There would be limited on site parking, with the exception of accessible bays, with residents encouraged choose sustainable travel options. The local highway network would be improved to make access and egress safe for vehicles and pedestrians. Construction impacts would need to be carefully managed.

JP-C5 – Streets for All – The public realm would be accessible.

JP-C6 – Walking and Cycling – linkages around the site would be improved.

JP-C8 – Transport requirements of new developments –The pedestrian environment would be improved. There would be safe and convenient access to public transport. A cycle store would be created.

JP-D2 – Developer Contributions – A legal agreement would secure a future review of the viability to understand if a contribution to affordable housing can be made.

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. Spatial Principles –The proposal would deliver high quality homes in a sustainable location in a strategic regeneration area.

SO2. Economy – The homes in this sustainable location would support economic growth and job creation. The construction would create jobs.

S06. Environment – The proposal would be low carbon and highly sustainable using up to date energy efficiency measures in the fabric and construction. There would be a travel plan and cycle provision.

Policy SP1 'Spatial Principles – The proposal and public realm would improve visual amenity and contribute positively to the street scene and enhance the area.

Policy T1 'Sustainable Transport' – All forms of public transport are nearby. The site is close to city centre amenities.

Policy T2 'Accessible areas of opportunity and needs' - A transport assessment and travel plan demonstrate that the proposal would have minimal impact on the local highway network and would encourage the use of sustainable transport.

Policy H1 'Overall Housing Provision' – This is a high-density proposal on a previously developed site in a sustainable location. The accommodation includes 1, and 2 bed homes. Amenity spaces, cycle provision and waste management would ensure this is a sustainable development.

Policy H2 'Strategic Housing Location' – The proposal would develop a brownfield site, close to the city centre, and deliver good quality homes in a sustainable area. The fabric would be efficient with sustainable features and drainage.

Policy H8 'Affordable Housing' – The viability has been tested and the proposal cannot support any affordable housing. The proposal would be subject to a future viability re-test to determine if a contribution could be made.

Policy EN1 'Design principles and strategic character areas' - This scheme would support regeneration.

Policy EN2 'Tall Buildings' – The changes to the scheme do not alter the previous conclusions and it would comply with policy EN2.

Policy EN3 'Heritage' – The impact on the surrounding heritage assets would be the same as the original planning permission.

EN4 'Reducing CO_2 emissions by enabling low and zero carbon development' – The fabric would be energy efficient and minimise energy demands. A travel plan and cycle provision are proposed.

Policy EN5 Strategic Areas for low and zero carbon decentralised energy infrastructure The proposal has a robust energy strategy.

Policy EN6 'Target framework for CO_2 reductions from low or zero carbon energy supplies' - The buildings functions would reduce energy demands. The building fabric would be high quality and energy costs should remain low.

Policy EN9 'Green Infrastructure' –The soft landscaping and trees would enhance biodiversity and improve green infrastructure.

Policy EN11 (Quantity of Open Space, Sport and Recreation) – An enhanced pedestrian link would be created through the site and external amenity areas created.

Policy EN14 'Flood Risk'- A scheme to minimise surface water runoff would be agreed.

Policy EN15, 'Biodiversity and Geological Conservation' – The site has low potential for bats and the impact on birds can be mitigated. Biodiversity improvements are included.

Policy EN16 'Air Quality' Construction activities would be carefully controlled to minimise impact on air quality. This is a car free proposal and active travel would be encouraged. Air quality would not be worsened subject to mitigation.

Policy EN17 'Water Quality' - Surface water runoff would be minimised. Historic uses means that below ground contamination could impact on ground water and remediation measures are required to minimise this risk.

Policy EN18, 'Contaminated Land' – Ground conditions can be addressed. The former use of the site requires extensive remediation and conditions would protect ground water and ensure the site is appropriately remediated.

EN19 'Waste' – The waste management strategy includes recycling principles.

Policy DM1 'Development Management' - Careful consideration has been given to the buildings' design, scale and layout and any impacts on residential amenity from loss of privacy and daylight and sunlight.

PA1 'Developer Contributions' states that where needs arise because of development, the Council will seek to secure planning obligations. A legal agreement would be prepared to secure a future review of the viability of the scheme to determine if a contribution towards affordable housing can be sought.

For the reasons given above, and within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core

Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved Policy DC7 'New Housing Developments' – This would be a high quality accessible development.

Saved policy DC18 'Conservation Areas'- The changes to the scheme would not change the conclusions previously made with regards to this policy.

Saved policy DC19 'Listed Buildings' - The changes to the scheme would not change the conclusions previously made with regards to this policy.

Saved policy DC20 Archaeology there would be no implications for archaeology.

Saved policy DC26, Development and Noise - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Other material policy considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people, pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;

Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights,

extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

The proposal would form a large and prominent building in an area. The proposed changes to the extant scheme would largely preserve the principles established by the existing planning permission.

High quality materials would be used both for the building and hard landscaping. Secured by Design principles are incorporated with measures to ensure a fully accessible development.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;

- Make it a home; and
- Make it happen.

This would be a high density development. The homes provided which would be space standard complaint and accessible. This would be a largely car free development with residents encourage to use sustainable travel choices and the amenities. Biodiversity improvements would be provided on site.

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Trees would be retained and on site green infrastructure would be enhanced.

National Planning Policy Framework (2024)

The revised NPPF re-issued in December 2024. The document states that the ‘purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the ‘objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’ (paragraph 7). In order to

achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 '*To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.* (paragraph 61).

Paragraph 66 states where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.

This proposal would redevelop a brownfield site in a key regeneration area for 366 one and two bed homes.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 96).

The proposal would be safe and secure. Cycle parking is provided. Green infrastructure would be provided alongside a new communal garden area.

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health' (paragraph 110).

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 115).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 116).

Within this context, applications for development should: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public

transport services, and appropriate facilities that encourage public transport use; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; and, be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. (paragraph 117).

All developments that generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 118).

The site is well connected to bus and trams which would encourage sustainable travel. This would be a largely car free development. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. A travel plan and operational management would be secured as part of the conditions of the approval. There would be improvements to the public realm around the site to aid movements alongside a wider package of highway improvements.

Section 11 ‘Making effective use of land’ states that ‘planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’ (paragraph 124).

Planning decisions should: encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 125)

Paragraph 130 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF.

The scale and density is considered to be acceptable and represents and efficient use of land. The site is close to sustainable transport infrastructure. A travel plan would encourage the use public transport, walking and cycle routes to the site.

Section 12 ‘Achieving Well Designed Places’ states that ‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning

and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process'' (paragraph 131).

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 135).

Trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree lined, that opportunities are taken ti incorporate trees elsewhere in developments, that appropriate measures are in pace to ensure the long term maintenance of newly placed trees and that existing trees are retained wherever possible (paragraph 136).

Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative design which promote high levels of sustainability, or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings (paragraph 139).

The design would be highly quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon. Biodiversity, green infrastructure and water management measures are included within the public realm. Street trees would be planted.

Section 14 ‘Meeting the challenge of climate change, flooding and coastal change’ states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of

existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 161).

New development should be planned for in ways that: avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and can help to reduce greenhouse gas emissions, such as through its location orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (paragraph 164).

In determining planning applications, Local Planning Authorities should expect new development to: comply with any development plan policies on local requirements of decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 168).

The buildings fabric would be highly efficient and it would predominately use electricity. The landscaping scheme would include trees and planting, Efficient drainage systems would manage water at the site.

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of sol, air, water or noise pollution or land instability and remediating contaminated land.

The high performing fabric of the building would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements would be provided in the form of trees and landscaping which is a significant improvement based on the current condition of the application site.

Paragraph 196 outlines that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination (a).

There is contamination at the site from the former land uses/buildings. The ground conditions are not usual or complex for this part of the city and can be appropriate remediated.

Paragraph 198 outlines that decisions should ensure that ne development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment. There would be some short term noise impacts associated with the construction process but these can be managed to avoid any unduly harmful impacts on amenity.

There are not considered to be any noise or lighting implications associated with the operation of the development.

Paragraph 199 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

The proposal would not worsen local air quality conditions and suitable mitigation can be put in pace during the construction process. There would be a travel plan and access to public transport for occupants of the development.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development proposals that accord with an up-to-date development plan without delay.

Planning Policy Guidance (PPG)

The relevant sections of the PPG are as follows: Air Quality provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

A construction management plan would include dust management measures to minimise the impact of the construction process.

This would be a largely car free development. A travel plan would encourage sustainable travel. Trains, trams and bus serves are nearby.

Noise states that Local planning authorities’ should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

A construction management plan would include measures to minimise noise impacts of the construction process.

The ground floor commercial uses would be treated to prevent noise outbreak. The plant would adhere to the Council's noise criteria to ensure that it is suitable for use given the close proximity of homes.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings • scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

The siting, scale and appearance of the building would result in a prominent building,. The materials and architecture would reflect its position.

Health and well being states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation).

A new communal garden would be created along with on site cycle provision.

Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

This is a highly accessible location. Modelling has demonstrated that there would be no unduly harmful impact on the highway network. Amendments to the highway would ensure that access and egress is safe. A wide range of public transport options are nearby including rail, tram and bus, with pedestrian and cycle routes.

Other legislative requirements

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

S149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Castlefield Conservation Area Declaration

Designated in October 1979, the conservation area's boundary follows the River Irwell, New Quay Street, Quay Street, Lower Byrom Street, Culvercliff Walk, Camp Street, Deansgate, Bridgewater Viaduct, Chester Road, Arundel Street, Ellesmere Street, Egerton Street, Dawson Street and Regent Road. The area was extended in June 1985 by the addition of land bounded by Ellesmere Street, Hulme Hall Road and the River Irwell.

The Castlefield area has evolved over many years and the elevated railway viaducts, canals and rivers create a multi-level environment. It has a mixture of buildings from small scale houses to large warehouses and modern buildings. There are a variety of building materials, which tend to be urban and industrial in character.

Further development can take place that respects the character of the area, and there is room for more commercial property. Ideally, new development should incorporate a mix of uses. The height and scale, the colour, form, massing and materials of new buildings should relate to the existing high-quality structures and complement them. This approach leaves scope for innovation, provided that new proposals enhance the area. The diversity of form and style found in existing structures in Castlefield offers flexibility to designers.

Principle of the proposal and the schemes contribution to regeneration and housing growth

Regeneration is an important planning consideration. The City Centre is the primary economic driver in the City Region and is crucial to its longer term economic success. There is a crucial link between economic growth, regeneration and new homes and more housing is essential to support and complement it.

Planning permission 123261 established the principle of development including its siting, scale and massing. This application maintains these established principles.

Changes in the Building Regulations, particularly in respect of Fire Safety, has driven some of the key changes now proposed.

Phasing

The planning permission is currently split into two phases: Phase 1 (enabling phase) and Phase 2 (main construction phase). The applicant would like the flexibility to bring forward the refurbishment of the DOT building in advance of Buildings 1 and 2 if there are delays due to the complexity of delivering high rise buildings.

This would allow a non designated heritage asset to be refurbished which would not need to go through the Gateway approval process and could be delivered in advance. Planning condition 43 should be updated to reflect a Phase 2(a) to allow the DOT building to come forward in advance of the other two buildings.

Housing Mix

The existing housing mix is:

- 113no 1 bedroom homes (1B/2P + 1B/1P) (31.8%);
- 223no 2 bedroom homes (2B/3P + 2B/4P) (62.8%);
- 19no 3 bedroom homes (3B/6P) (5.4%)

The proposed mix would be:

- 121no 1 bedroom homes (1B/2P + 1B/1P) (33.1%)
- 215no 2 bedroom homes (2B/3P + 2B/4P) (58.7%);
- 22no 3 bedroom homes (3B/6P) (5.4%)
- 8no 2 bedroom duplex homes (2B/4P) (2.15%)

There is a modest increase in the number of one bedroom homes and an increase in the number of one bedroom properties that are suitable for two people. There is also an increase in the number of larger homes (i.e. 2 bedroom 4 person or 3 bedroom 6 person homes) which would be suitable for families.

Affordable Housing

Parag 58 of NPPF states that decision-makers should not normally consider viability where a proposal complies with relevant development policies as they are assumed to be viable. However, where deliverability may be compromised by the scale of planning obligations, other costs and material planning considerations, a viability assessment may be necessary. The weight given to a viability assessment is a matter for the decision maker, 'having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs.

Core Strategy Policy PA1 'Developer Contributions' states that where needs arise, as a result of development, the Council will seek to secure planning obligations. It outlines the range of provisions that such obligations may require and advises that this should be assessed on a site by site basis. Affordable housing is identified as a relevant planning obligation. The nature and scale of any planning obligations should relate to the form of development and its potential impact upon the surrounding area and stipulates that where appropriate, any provision should be provided on site. Where this is not possible, a commuted sum payment is likely to be sought. In determining the nature and scale of a planning obligation, specific site conditions and other material considerations including viability, redevelopment of previously developed land or mitigation of contamination may be taken into account.

Core Strategy policy H8 'Affordable Housing' is also relevant. Development should contribute to the City-wide target for 20% of new housing to be affordable and 20% should be used as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership or provide an equivalent financial contribution.

Policy H8 goes on to state that an applicant may seek an exemption from providing affordable housing, or provide a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8. This includes:

- The inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Frameworks, planning frameworks or other Council approved programmes;

- It would financially undermine significant development proposals critical to economic growth within the City;

- The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability.

Regard must also be had to part 2 of policy H8, which states: "…. where appropriate provision will be made within Section 106 agreements to amend the proportion of affordable housing in light of changed economic conditions, subject to a financial viability assessment."

Whilst not specifically required by H8, should the LPA concur with the outcome of a viability assessment, and in order to take account of any change in circumstances, a legal agreement could include an affordable housing review mechanism to test and capture any change in circumstances that could result in the scheme being about to support a contribution towards affordable housing at an agreed future date.

When planning permission 123261 was granted, the appraisal indicated that the proposal was viable and could make a contribution of £1,150,000 towards off site affordable housing. This equated to a 5% contribution.

This was based on a benchmark land value of £2,145,000 together with build costs of £172 per sq ft which were within the range expected based on comparable evidence. The total costs would be £77,564,385 with a profit on cost of 15%.

Since the planning permission was granted in 2019, there have been significant shifts in market conditions and build costs which has created uncertainty and increased risk. In addition, the introduction of the Building Safety Act, and subsequent amendments to the Building Regulations, has required modifications to be made to the scheme in the interest of fire safety. These changes require significant internal and external alterations to the scheme in order to meet fire regulations.

The requirement to deliver the high quality scheme that was given planning permission in 2019, and the current Building Regulation requirements have had impact on viability. The current appraisal demonstrates that it would not be possible to contribute to affordable housing as approved. The factors that affect the viability are material considerations.

The viability assessment has been made publicly available through the Councils Public Access system. A review by an independent assessor on behalf of the City Council has concluded that the scheme could no longer make an upfront contribution to affordable housing. The review estimates the Gross Development Value (GDV) would be c££116,703,588, with development costs of c£118,578,901 and Benchmark Land Value (BLV) of £ 1,553,000. A target profit level of 10% on costs, is low for a scheme of this scale and risk. On this basis the proposal would not support affordable housing.

Nevertheless, the proposal remains complaint with policy H8 as the viability assessment concludes the scheme would not be deliverable if a contribution was provided. This would ensure that the scheme could be delivered to the quality

proposed. An affordable housing review should be undertaken through a later stage to assess whether economic and market conditions have changed to allow an affordable housing contribution to be made.

This would seek to secure the maximum amount of affordable housing without rendering the scheme unviable. The review would take place when a significant proportion of the homes have been delivered, when actual costs and values are known and comply with the requirements of H8. This would also comply with the requirements of policy EN2 which require proposals for tall buildings to be both viable and deliverable.

Tall Building Assessment including impact on townscape

The previous conclusions in relation to the tall building assessment remain relevant. The changes proposed have no material impact on the previous conclusions.

Impact of the historic environment and cultural heritage

It was concluded that planning permission 123261 would result in some instances of adverse impact in relation to changes to the setting of a number of listed buildings, conservation areas and non designated heritage assets.

These impacts were considered to result in less than substantial harm. Notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, it was concluded that the harm caused would be outweighed by the public benefits of the scheme which were set out within the previous committee report. This included the delivery of new homes and the regeneration outcomes of the scheme including high quality architecture and place making together with the restoration and reuse of the DOT building.

The changes to the scheme would not diminish those benefits and therefore the public benefits that are required to outweigh the less than substantial harm to the historic environment remain. The proposal therefore remains complaint with paragraph 215 of the NPPF.

Layout, scale, external appearance and visual amenity

Layout changes and adjustment to the mix and internal spaces are required in order to comply with current Building Regulations and the Building Safety Act.

Building 3 (DOT building) would now be used for residential rather than commercial space and gym.

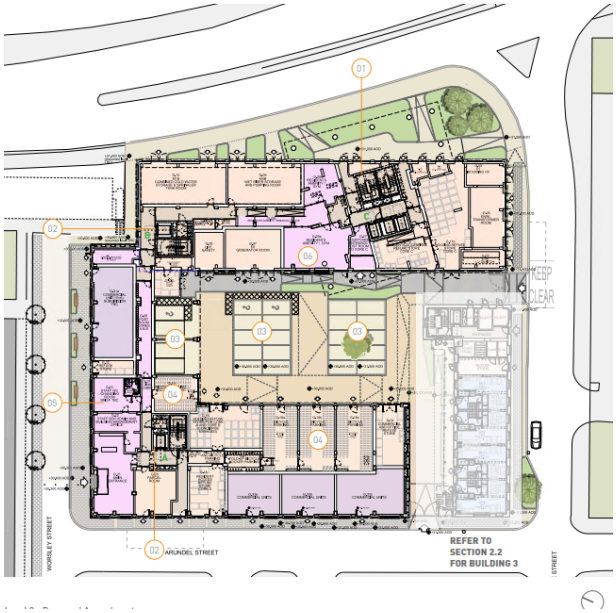
Changes to the ground floor of buildings 1 and 2 include core configurations, means of escape routes and protected lobbies. There would be additional resident's amenity and changes to support spaces.

The arrangement of Building 1, is similar to the approved scheme, with commercial space to Arundel Street and Worsley Street, and the main residential entrance

located on the corner of the two streets. The cores have been upgraded to fire fighting cores, with additional compartmentation, dedicated building services and evacuation lifts. The arrangement of Building 2 retains a combination of plant spaces and refuse stores as approved but includes a second staircase in the core which serves all floors of the tower.

Cycle storage has been relocated within Building 1 and the frontage toward Ellesmere Street and the Mancunian Way is composed mainly of plant rooms and resident's amenity. Access for cars, cycles, pedestrian and serving remains as the approved scheme.

These ground floor changes are minor and would improve safety in accordance with current Building Regulations and provide an enhanced amenity offer.



Proposed ground floor plan

At the upper levels the residential accommodation remains largely similar to the extant permission.

The upgrading of the tower core is significant and has affected the layout of some homes. A two bed home has become one bed but overall the number of homes remains at 32 per floor. Where possible, two bedroom, 3 person homes have been increased to 2 bedroom 4 person homes. There would also be modifications to the access to communal amenity spaces and reconfiguration of the spaces.

Building 3 (DOT Building) would be used for residential purposes rather than commercial with 4 townhouses at the ground and first floors, accessed from the courtyard. An access would be provided from Arundel Street which would provide an entrance to the shared spaces including cycle and refuse store.

There would be four 2 storey maisonettes, accessed from the common core via an external walkway at the second floor. An external staircase provides an alternative route to the ground floor from the walkway.

The use of Building 3 for residential purposes is acceptable and the layout would provide an efficient use of space with space standard complaint homes. The internal reconfiguration of the building has also resulted in alterations to the façade.

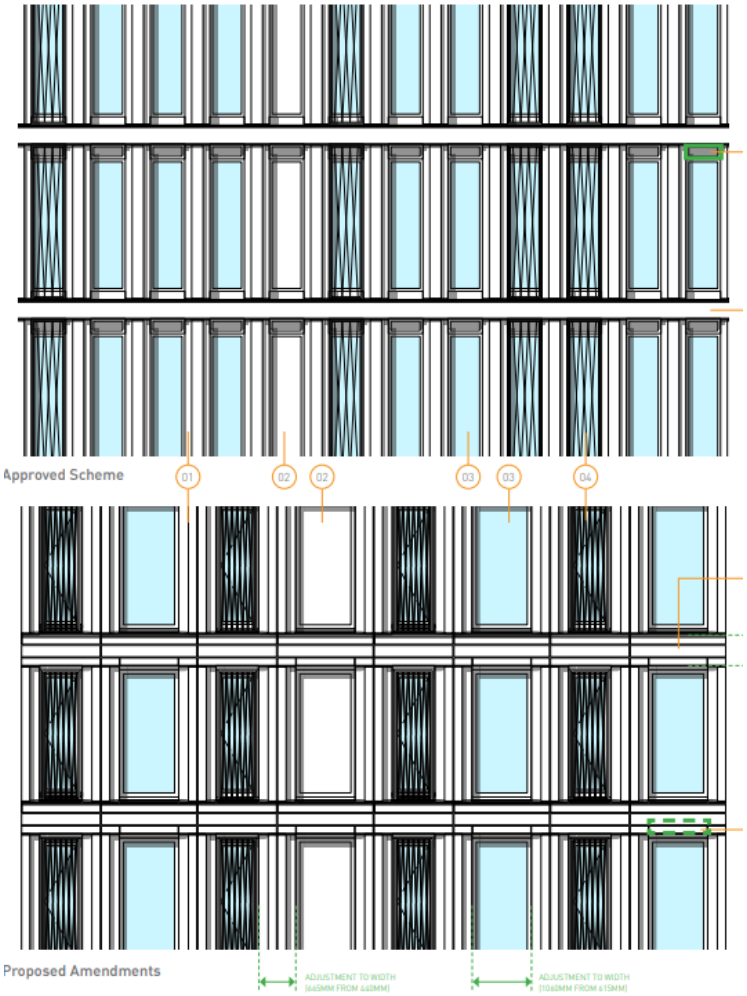
Minor adjustments have been made to the façade of Building 1 including increases in height and width of the brick grid piers/spandrels. To maintain balance of proportions, adjustments have been made to the fenestration composition to minimise the extent of metal framing and to relocate the ventilation grille into the soffit of the brick reveal over the window.



Façade alterations to Building 1 (approved scheme top; proposed amendments bottom)

Similar adjustments are required for Building 2. At the upper levels, increases in height of the horizontal cornice at each floor level and width of the masonry mullions have been made to achieve an appropriate solid to glazed ration that meets the required thermal and overheating criteria. To maintain a balance of proportions, adjustments have been made to the fenestration composition between the mullions

to minimise the impact of the metal framing and relocate the ventilation grille to the soffit of the brick reveal.



Façade alterations to Building 2 (approved scheme top; proposed amendments bottom)

There would be a modest reduction in the floor to ceiling heights of Buildings 1 and 2. This would not have a material impact on the overall scale of the façade or the quality of the elevations.

The alterations to both building 1 and 2 retain the overall articulation, materiality and component elements to the extant scheme. The amendment also offer improvements to the ventilation strategy which would provide a more discreet solution as well as ensuring that window frames and brick detailing can be executed as per the extant permissions.

The retained building would be renovated. There would be some minor changes to the south façade with an existing opening between the entrance doors would be opened up and this, and a second window opening, will comprise louvred panels with a decorative screen for the plant spaces. Penetrations would be made on the west and east elevations for plant and WC ventilation.

On the north elevation, at Level 2, an elevated external metal framed access walkway would provide access the maisonettes, with integrated pavement lights providing top light to the adjacent windows below. A new metal staircase provides a secondary route from the walkway to ground level.

The changes to the DOT are modest and reflect the use of the property for residential. The louvres would be covered by a decorative screen to minimise their visual impact on the façade. The elevated access walkway would only be visible from the courtyard which would minimise its impact. The walkway would maximise the internal residential floorspace available.

The changes to the scheme are modest and would deliver the original design intent.

Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the standard of design and architectural quality are maintained through the process of procurement, detailed design and construction. The design team recognises the high profile nature of the site and nature of the use.

The applicants acknowledge that the market is competitive and the quality of the development is paramount. A significant amount of time has been spent developing and carefully costing the design to ensure that the scheme as submitted can be delivered.

The applicants design team are have been retained since planning permission was granted in 2019. They are highly experienced and have designed a development that is informed by its context as well as drawing upon their experience and best practice. The retention of the design team would be secured through the Legal Agreement.

Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment

The landscaping and place making components would largely be in line with the extant permission. Minor modifications are proposed to ensure that the external areas are compliant with means of escape from the building in the event of a fire.

The hard landscaping and planters to Worsley Street have been altered to extend the fire appliance route to the fire fighting cores within the building.

Minor amendments are proposed to the planting and planters on the corner of Arundel Street and Ellesmere Street and along the Mancunian Way frontage. The area would be retained as a green buffer and would enhance the buildings setting.

The courtyard landscaping has been amended to reflect the parking modifications. One of the trees can no longer be accommodated and should be provided elsewhere within the site.



Site landscaping scheme

The gardens would be retained for use of the residents but the access would be altered. The changes are considered to be acceptable and would maintain high quality amenity spaces within the scheme.

Effects on the Local Environment/ Amenity

(a) Sunlight, daylight, overshadowing and overlooking

The previous conclusions in relation to sunlight, daylight, overshadowing and overlooking are not affected by the alterations to the scheme.

(b) Wind Environment

The previous conclusions in relation to wind environment remain relevant along with the corresponding planning condition.

(c) TV reception

The previous conclusions in relation to TV reception remain relevant along with the corresponding planning condition.

(d) Air Quality

The Air Quality conclusions remain relevant. Mitigation to construction impacts, including dust suppression, have been secured, together with active travel, travel planning, secure cycle provision and EV charging when the site becomes

operational. These measures are secured by planning condition. There is a modest reduction in car parking.

Noise and vibration

The previous conclusions in relation to Noise remain relevant. There would be acoustic mitigation to the homes and commercial units to address noise transfer and noise ingress from external noise. This would be secured by planning condition.

Waste management

The waste management strategy has been updated to reflect the increase in the number of homes and internal alterations. Accessible stores would be located close to each core. They would be large enough to accommodate the required number of bins in line with MCC guidelines and would include bin storage would be provided for general waste, pulpable waste, co-mingled recyclates and food waste. Residents would store waste in their homes.

The building management company would be responsible of transporting the bins to the collection point on collection day. The collection would be from two new loading bays, on Arundel Street and Ellesmere Street, as previously approved.

The commercial units would store their waste within the units as previously envisaged and be collected by a private waste management company.

Accessibility

The buildings would remain accessible with all primary entrances being level. There would be lifts to upper floors and corridors would be at least 1500mm. All homes would meet space standards allow adequate circulation space and are M4 (2) compliant. There would be parking spaces for disabled people in the courtyard.

Flood Risk/surface drainage

The previous conclusions in relation to flood risk and drainage remain relevant. Mitigation is secured by planning condition.

Impact on the highway network/car/cycle parking and servicing

An updated transport note confirms that there would be a negligible impact on trip generation from the site compared to the extant scheme.

There would be a reduction in car parking spaces from 31 to 24. Since the original permission was granted, a controlled parking zone (CPZ) has been introduced in the area which ensures only those that are eligible to park in the areas do so.

The Servicing arrangements would be as the extant permission i.e. from dedicated loading bays on Arundel Street and Ellesmere Street. This arrangement would not impact on the CPZ.

All previous planning conditions to secure highways works, cycle provision, a travel plan and construction management should be imposed on the planning permission.

Designing out crime

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. The previous condition that required the development to be constructed in accordance with the CIS remains relevant and should be implemented in full.

Ground conditions

The previous conclusions in relation to ground conditions remain relevant. The remediation of the site is secured by planning condition.

Construction management

The previous conclusions in relation to construction management remain relevant. A planning condition would ensure that the impacts are minimised.

Legal Agreement

The proposal shall be subject to a legal agreement under section 106 of the Planning Act to secure a review of the schemes viability at a later stage as explained in the paragraph with heading “Affordable housing”.

The legal agreement would also be used to secure the retention of the architect as explained in the paragraph heading “Credibility of Design”.

Conclusion

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The changes would facilitate the delivery of 366 homes. The proposal is largely unchanged since its original approval in 2019, but internal changes are required to meet fire safety requirements.

The changes have no material impact on the siting, scale and appearance which remains consistent with the original approval. Minor adjustments required to the façade to reflect internal changes remain consistent with the original design.

Changes to the landscaping would create a safe means of escape. The proposal would deliver trees, landscaping and biodiversity improvements in line with the extant planning permission.

The technical conclusions in respect of townscape, heritage, daylight, sunlight and overlooking, wind, TV reception, air quality, noise, waste management and

construction management remain consistent with the conclusions made at the time of the original planning application. Planning conditions are proposed where mitigation is required.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing 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. She 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 to secure a mechanism to review the visibility at a later stage.

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be acceptable and therefore determined within a timely manner.

Conditions to be attached to the decision

1) The development must be begun not later than the 23 August 2022.

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:

Drawings and documents submitted as part of planning application 140789/JO/2024

10090-1903-A-G200-E-151 Rev P3, 10090-1903-A-G251-D-181_P3, 10090-1903-A-G251-D-182_P3 and 10090-1903-A-G251-D-183_P2 received by the City Council, as Local Planning Authority, on the 16 January 2025

Design clarifications received by the City Council, as Local Planning Authority, on the 16 January 2025

10090-1903-A-G100-P-100 Rev P2, 10090-1903-A-G200-E-101 Rev P3, 10090-1903-A-G200-E-102 Rev P3, 10090-1903-A-G200-E-103 Rev P3, 10090-1903-A-G200-E-104 Rev P3, 10090-1903-A-G200-P-100 Rev P2, 10090-1903-A-G200-P-101 Rev P3, 10090-1903-A-G200-P_102 Rev P3, 10090-1903-A-G200-P-103 Rev P2, 10090-1903-A-G200-P-104 Rev P3, 10090-1903-A_G200-P-105 Rev P3, 10090-1903-A-G200-P-108 Rev P3, 10090-1903-A-G200-P-109 Rev P3, 10090- 1903-A-G200-P110 Rev P3, 10090-1903-A-G200-P-111 Rev P3, 10090-1903-A-G200-P-112 Rev P3, 10090-1903-A-G200-P-113 Rev P3, 10090-1903-A-G200-P-120 Rev P2, 10090-1903-AG200-P-121 Rev P2, 10090-1903-A-G200-P-122 Rev P3, 10090-1903-A-G200-P-140 Rev P3, 10090-1903-A-G200-P-161 Rev P3, 10090-1903-A-G200-P-162 Rev P3, 10090-1903-A-G200-P-163 Rev P3, 10090-1903-A-G200-P_164 Rev P3, 10090-1903-A-G200-P165 Rev P3, 10090-1903-A-G200-S-101 Rev P3, 10090-1903-A_G200-S-102 Rev P3, 10090-1903-A-G200-S-103 Rev P3, 10090-1903-A-G200-S-104 Rev P3, 10090- 1903-AG200-S-111 Rev P3, 10090-1903-A-G200-S-112 Rev P3, and 10090-1903-A-G200-P-167, P21030-00-001-GIL-0111-00, P21030-00-001-GIL-0112-01, P21030-00-001-GIL-0113-01, P21030-00- 001-GIL-0114-01, 10090-1903-A-G200-E-150 Rev P2, 10090-1903-A-JC20-P-150 Rev P2, 10090-1903- A-JC20-P-151 Rev P2, 10090-1903-A-G200-P-166 Rev P2 and 10090-1903-A-JC20-E-150 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 August 2024.

Crime Impact Statement (version D) prepared by Greater Manchester Police (dated 8 August 2024), Design and Access Statement Addendum prepared by SimpsonHaugh (dated August 2024), Energy Strategy prepared by Hoare Lea, Environmental Standards Statement Addendum prepared by Hoare Lea (dated 8 August 2024), Fire Strategy prepared by Maze Fire Consulting (dated 8 August 2024), Site Waste Management Strategy, Transport Statement and Framework Travel Plan Update prepared by Curtins (dated 31 July 2024), Updated Television and Radio Reception Impact Assessment prepared by G-Tech (dated 8 August 2024), Ventilation Strategy prepared by Hoare Lea (dated 25 July 2024), Air Quality Technical Assessment Update (5 August 2024), Acoustic Statement Technical Note prepared by BDP (dated 2 August 2024), Arundel Street – Phasing Plan (dated August 2024) and Arundel Street – High Level Pre-Construction Programme (dated August 2024) all stamped as received by the City Council, as Local Planning Authority, on the 15 August 2024

Drawings and documents approved under 141799/NMC/2024

Arundel Street - Phasing Plan dated August 2024, prepared by Sisk received by the City Council, as Local Planning Authority, on the 20 December 2024

Drawings and documents approved under planning permission 123261/FO/2019

10090 1903 A G100 XP 010, 10090 1903 A G100 XP 100, 10090 1903 A G200 XP 100, 10090 1903 A G200 XP 120, 10090 1903 A G200 XP 150, 10090 1903 A G200 XP 151, 10090 1903 A G200 XE 101, 10090 1903 A G200 XE 102, 10090 1903 A G200 XE 103, 10090 1903 A G200 XE 104, 10090 1903 A G200 XS 101, 10090 1903 A G200 XS 111, 10090 1903 A G200 P 100, 10090 1903 A G200 P101, 10090 1903 A G200 P 102, 10090 1903 A G200 P 104, 10090 1903 A G200 P 105, 10090 1903 A G200 P 108, 10090 1903 A G200 P 109, 10090 1903 A G200 P 110 and 10090 1903 A G200 P 111 received by the City Council, as Local Planning Authority, on the 8 April 2019

Supporting Information

Environmental statement (including construction, historic environment, townscape and visual impact, noise and vibration, sunlight and daylight, wind and microclimate and air quality) stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019

Design and access statement, Planning and Tall buildings statement, Statement of consultation, residential management strategy prepared by GC consulting, Transport Statement prepared by Curtins, Travel Plan Framework prepared by Curtins, Flood Risk Assessment prepared by Curtins , phase 1 ecological survey prepared by ERAO, tree survey and management strategy prepared by Godwins tree consultants, archaeological desktop assessment prepared by Salford Archaeology and ground conditions statement prepared by Ian Farmer Associates received by the City Council, as Local Planning Authority, on the 10 April 2019

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) a) The development shall be carried out in accordance with the Construction Phase Community Employment Plan (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022 (as approved under CDN/22/0347).

The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

i) the measures proposed to recruit local people including apprenticeships
ii) mechanisms for the implementation and delivery of the Local Benefit Proposal

iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed for a phase of the development, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

4) (a) The development shall be carried out in accordance with the Written Scheme of Investigation (dated May 2022) and Correspondence from GMAAS (dated 22 May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022 (as approved under CDN/22/0347).

Prior to the first occupation of a phase of the development, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) A programme for post investigation assessment to include:
- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.
(c). Dissemination of the results commensurate with their significance, including provision for interpretation panels and a booklet.
(d). Provision for archive deposition of the report and records of the site investigation.
(e). Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

5) (a) The drainage scheme for the development shall be carried out in accordance with the Surface Water Drainage Scheme (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 26 May 2022 and Arundel Street Drainage note (ref.071713/DPC Rev V02) stamped as received by the City Council, as Local Planning Authority, on the 12 July 2022 (as approved under CDN/22/0347).

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

6) (a) Phase 1 works shall be carried out subject to a watching brief.

In the event that risks or contamination are encountered during the Phase 1 works, the phase 1 works shall cease until a scheme for the investigation of the site and the identification of remediation measures have been submitted for approval in writing by the City Council as local planning authority. The phase 1 works shall recommencement in accordance with the agreed remediation measures.

(b) A Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, within two months of completion pf the Phase 1 works (as required by CDN/22/0347). This verification report/watching brief should detail whether portal water supply pipes and barrier pipes were required. If they were, details of a risk assessment will be required to be presented and evidence of consultation with UU (prior to the pipes being installed).

(c) Before the commencement of Phases 2(a) and/or 2 (b), a report (the 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. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the phases 2 (a) and/or 2 (b) works 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 prior to the first occupation of the residential element of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, 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 policies DM1 and EN18 of the Core Strategy.

7) (a) Phase 1 shall be carried out in accordance with the Construction Management Plan Rev F (dated May 2022) stamped as received by the City Council, as Local Planning Authority, dated the 27 July 2022 (as approved under CDN/22/0347).

(b) Prior to the commencement of Phases 2 (a) and/or 2 (b) of the development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Consultation with local residents for the duration of the construction period;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

Each phase of development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

8) (a) An External Materials Samples Programme is required to be submitted and approved in writing prior to the commencement of Phases 2 (a) and/or 2 (b).

(b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part (a). The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

9) Prior to the first occupation of a phase of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include:

- Verification reporting providing photographic evidence of constriction;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

10) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

11) (a) Notwithstanding landscaping strategy included within the design and access statement received by the City Council, as Local Planning Authority, on the 8 April 2019 and the landscaping amendments included in the Design and Access Statement Addendum received by the City Council, as Local Planning Authority, on the 15 August 2024, prior to the first occupation of the residential element of phases 2 (a) and 2 (b) this development, details of hard and soft landscaping treatments (including tree planting, street tree planting and boundary treatments) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first occupation of the residential element of phases 2 (a) and 2 (b) the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

12) The development hereby approved shall be carried out in accordance with the Stage 3 Report – Energy Strategy & Overheating Risk Assessment Rev 02 prepared by Hoare Lea statement dated 26 July 2024 received by the City Council, as Local Planning Authority, on the 15 August 2024. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

13) Notwithstanding the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019 and the Arundel Street, S73 Planning Submission - Acoustic Statements dated 2 August 2024 received by the City Council, as Local Planning Authority, on the 15 August 2024, prior to the (a) first occupation of the residential element, within phases 2 (a) and/or 2 (b) and (b) first use of each commercial units within phase 2 (b), details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. The approved scheme shall be implemented prior to the first occupation of the residential element and each commercial unit within the respective phases and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

14) Notwithstanding the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019 and the Arundel Street, S73 Planning Submission - Acoustic Statements dated the 2 August 2024 received by the City Council, as Local Planning Authority on the 15 August 2024, (a) prior to the first use of each commercial unit within phase 2 (b) as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. (b) The approved scheme shall then be implemented and a post completion survey submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of each of the commercial units. The measures implemented shall be retained and maintained for as long as the development remains in use.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

15) The acoustic insulation of the residential accommodation hereby approved shall be carried out in accordance with the attenuation measures set out in in the noise and vibration section of the ES stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019.

Prior to the first occupation of the residential accommodation within phases 2 (a) and/or 2 (b) the measures shall be implemented shall be retained and maintained for as long as the development remains in use.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and

DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

16) Prior to the first occupation of the residential accommodation within phases 2 (a) and/or 2 (b) details of the refuse arrangements and waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented prior to the first occupation of the residential element within each phase and thereafter be retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

17) Prior to the first use of the commercial units within phase 2 (b) hereby approved, as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, the refuse arrangements and waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented prior to the first use of the each commercial unit within phase 2 (b) and thereafter be retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the commercial units of the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

18) Prior to the first use of each of commercial units within phase 2 (b), as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units within phase 2 (b) and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

19) Prior to the first use of each of the commercial units within phase 2 (b) as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each of the commercial units within phase 2 (b) and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

20) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for each phase shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of the residential element within each phase of development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

21) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

22) When the development is firstly occupied, Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00
Sundays (and Bank Holidays): No deliveries/waste collections

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

23) Prior to the first use of each commercial unit within phase 2 (b), as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for each respective unit and shall thereafter be retained and maintained.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

24) Prior to the first use of the communal roof terraces, the opening hours for the terraces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The roof terraces shall then operate in accordance with the approved hours.

There shall be no amplified music or sound on the roof terrace at any time.

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

25) The commercial units as shown on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, shall remain as separate units and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

26) The commercial units, as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, can be occupied as Class E (with the exception of convenience retail), (formerly Use Classes A1, A2, B1) and D2. The first use of the each commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

27) Prior to the first use of the residential element building 1 (build to rent element) of the development hereby approved, a robust management plan for the letting of the residential accommodation shall be submitted for approval in writing to the City Council, as Local Planning Authority. The approved management plan shall be implemented from the first occupation and be retained in place for as long as the development remains in use.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking

and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people or couples (or a couple and unrelated person) sharing a dwelling.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

29) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or 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; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

30) The development shall be carried out in accordance with the Crime Impact Statement (Version B) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation for phase 2 (a) and/or (b).

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

31) The development hereby approved shall be carried out in accordance with the Travel plan framework stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019 and the Framework Travel Plan Update included in the Technical Note – Transport Update dated 31 July 2024 received by the City Council, as Local Planning Authority, on the 15 August 2024.

In this condition a Travel Plan means a document which includes:

i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
iii) mechanisms for the implementation of the measures to reduce dependency on the private car
iv) measures for the delivery of specified travel plan services
v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first occupation of phases 2 (a) and/or (b) the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

32) Prior to the first occupation of the residential building element, the provision of 361 cycle spaces, as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, shall be implemented prior to the first occupation of the residential element of each phase of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

33) Prior to the first occupation of the residential element of the development hereby approved, the car parking layout, as indicated on drawing 10090-1903-A-G200-P-100 Rev P2 stamped as received by the City Council, as Local Planning Authority, on the 15 July 2022, shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

34) Prior to the first use of the residential element within the phases 2 (a) and/or (b) hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Amendments/new TROs on Ellesmere Street and Arundel Street (including the provision of 2 loading bays);

- New vehicular access/egress on Arundel Street; and
- Footway improvement and reinstatement works around the perimeter of the application site;
- Installation of street trees.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element within phases 2 (a) and/or (b) of the development hereby approved and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

35) Notwithstanding the TV reception survey prepared by G-tech, stamped as received by the City Council, as Local Planning Authority, on the 8 April 2019 and the Television and Radio Reception Impact Assessment prepared by G-tech, dated 8 August 2024 received by the City Council, as Local Planning Authority, on the 15 August 2024, within one month of the practical completion of each phase of the development or before the residential element of 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 a 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 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 - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

36) Within 6 months of the residential element of phases (a) and/or (b) of the development hereby approved being first occupied, details of a car parking review detailing the demands/uptake of car parking at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This review shall set out the demands for car parking at the development including a strategy for the provision of further off site car parking should this been deemed necessary.

In the event of a strategy is approved for the implementation of additional off site car parking, this strategy shall be implemented within a timescale to be agreed in writing with the City Council, as Local Planning Authority.

Reason - To ensure an adequate supply of car parking at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

37) Prior to the first occupation of the residential element of phases 2 (a) and/or (b) of the development hereby approved, details of the provision to promote car hire scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of each phase of the residential element of the scheme and thereafter retained and maintained in situ.

Reason - to promote sustainable travel options and choice at the development pursuant to policies T2 and DM1 of the Manchester Core Strategy (2012).

38) Prior to the first use of any commercial unit within phase 2 (b) of the development as indicated on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024, a signage strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of phase 2 (b) of the development.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

39) Prior to the first occupation of phase 2 (b) the development details of the provision of 4 electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority, within the car parking area as shown on drawing 10090-1903-A-G200-P-100 Rev P3 received by the City Council, as Local Planning Authority, on the 15 August 2024. The approved details shall be implemented prior to the first occupation of this phase of the development and thereafter made available and retained for as long as the development is in use.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

40) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

41) The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

42) All windows at ground level, unless shown otherwise on the approved drawings detailed in condition 2, shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

43) The phasing of the development shall be carried out in accordance with the Arundel Street - Phasing Plan [DATE TO BE UPDATED], prepared by Sisk received by the City Council, as Local Planning Authority, on the [DATE TO BE INSERTED] and shall be herein have the following meanings:

- Phase 1 - Enabling and permanent drainage and hardstanding works (August 2022); and
- Phase 2(a) – Refurbishment of the DOT Building (Building 3) only; or
- Phase 2(b) – All Remaining works to completion of the development (Buildings 1, 2 and 3 (in the event phase 2(a) does not come forward first).

[All phases to have commenced by DATE TO BE INSERTED UPON GRANT OF PLANNING PERMISSION AND BE NO LATER THAN 2 YEARS FROM THIS DATE].

Reason - The development is to be carried out on a phased basis and details must therefore be agreed in this regard to ensure that a comprehensive development provided at this site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

44) No development associated with Phase 2a or Phase 2b shall commence until contract(s) for the construction and completion of the relevant phase(s) have been let and appropriate evidence has been submitted for approval in writing by the City Council, as Local Planning Authority. The contract(s) for construction and completion of Phase 2a and/or Phase 2b must be let no later than the [DATE TO BE INSERTED UPON GRANT OF PLANNING PERMISSION].

Reason: To ensure that appropriate contractual arrangements are in place for the commencement of each part of Phase 2 of the development, whether undertaken as a single phase or as separate sub-phases, pursuant to policy SP1 of the Manchester Core Strategy (2012).

45) Should the contract(s) for the construction and completion of Phase 2a and Phase 2b not be let by no later than 2 years from the date of this planning permission, then no further development associated with the un-contracted part(s) of Phase 2 (a and b) shall be permitted by this planning permission.

Reason: To ensure that appropriate contractual arrangements are in place for the commencement of Phase 2, whether undertaken as a single phase or as separate sub-phases, and to prevent indefinite delays in the completion of the development, pursuant to policy SP1 of the Manchester Core Strategy (2012).

46) In the event that any part of Phase 2 development does not commence in line with Condition 44, or further development is not permitted in line with Condition 45, a scheme shall be submitted for approval in writing by the City Council, as Local

Planning Authority, for the restoration, landscaping and maintenance of the affected land. The scheme shall be submitted within three months of the date upon which development ceased or was no longer permitted, and shall be implemented within three months of approval and thereafter retained and maintained in accordance with this scheme.

Reason: To ensure that the land is reinstated to an appropriate standard in the interest of visual amenity of the site, should the full development not proceed as planned, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informatives

- Cranes, whilst are temporary, can be a hazard to air safety/ the developer or crane operator must therefore contact Manchester Airport's Control of Works Office using the details provided below, at least 21 days in advance of intending to erect a crane or other tall construction equipment on the site. this is to obtain a tall equipment permit and to ascertain if any operating restrictions would be required. Any operating restrictions that are subsequently imposed by Manchester Airport must be fully complied with. Email: control-of0works@magairports.com

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- Bats can, and do, turn up in unexpected places. If bats are found at any time during the course of demolition works then works must cease and advice sought for a suitably qualified person about how best to proceed. All bats and their resting places are legally protected.

- You should ensure that any external wall treatments approved for planning purposes are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

- Application for off-site highways works condition discharge may only be submitted following securement of cash bond or surety provision of the total costs of the associated highways works as provided by the statutory approvals team. Evidence of this should be provided with the condition discharge documents. The process for permission to work on the highway can be found using the following link: Licensing - Permission to work on the highways - Section 278 agreements | Manchester City Council.

- It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior

to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place

- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with Designer's Response) is to be made available to the Statutory Approvals Team upon request.

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: 140789/JO/2024 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.

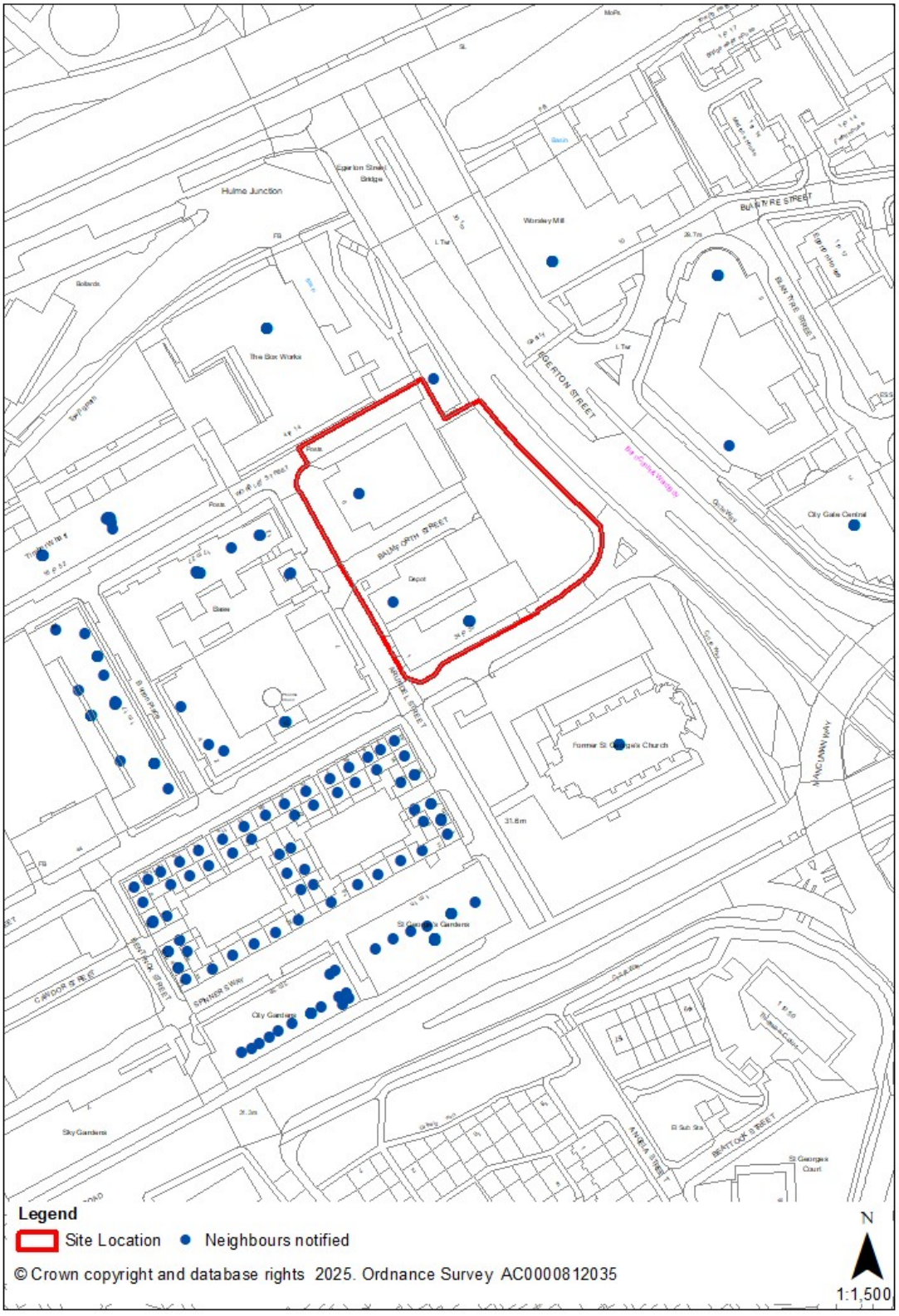
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
Greater Manchester Police

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : jennifer.atkinson@manchester.gov.uk


Hulme Junction
Egerton Street Bridge
The Box Works
Worsley Mill
BANNER STREET
EGERTON STREET
BAUM OPEN STREET
City Gate Central
Former St Georges Church
City Gardens
Sky Gardens
St Georges Court
Legend
Site Location
Neighbours notified
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