Application Number	Date of Appln	Committee Date	Ward
138808/FO/2023	18 Dec 2023	31 May 2024	Deansgate Ward

Proposal Erection of 15-storeys plus plant level building to provide purpose-built student accommodation (PBSA - Sui Generis)) along with site preparation works, works over the public highway and other associated works.

Location Car Park At Junction Of Charles Street And York Street, Manchester

Applicant Mr Mike Bathurst, Jadebricks (Charles Street) Limited

Agent Miss Rebecca Boston, Turley

EXECUTIVE SUMMARY

The application proposes a 15 storey PBSA building. 16 objections have been received including 2 from local businesses who adjoin the site.

Principle and the schemes contribution to regeneration: The development is in accordance with national and local planning policies, and would bring significant economic, social and environmental benefits. It would develop a vacant, brownfield site which has a negative impact on visual amenity. PBSA would be consistent with policy H12 of the Core Strategy and would increase the supply of student accommodation in the City. 20% would be affordable available on a discounted rent.

Economic Benefits: The development would add £4.9 million GVA to the Manchester Economy and would create temporary and full time equivalent jobs. Local labour Proposal would ensure local people benefit.

Social Benefits: This proposal would redevelop a vacant, low quality brownfield site close to the Oxford Road Corridor. 107 bedspaces (including 6 accessible rooms) would support the student accommodation pipeline of which 20% would be affordable.

Environmental Benefits: This is a highly accessible area where walking and cycling would be encouraged. Sedum roofs and bird and bat boxes would improve biodiversity. The building would run on all electric systems which would reduce carbon emissions as the grid decarbonises. Sustainable drainage would manage surface water. The design would improve the appearance of Charles Street.

Impact on the historic environment: There would be no harm to the setting of heritage assets.

Impact on Local Residents and Businesses: There would be impacts on daylight/sunlight and overlooking. Construction impacts could be managed to minimise the effects on residents and local businesses. Noise outbreak from plant would meet relevant standards. There would be some disruption to local businesses as a result of the development, however this would not be unusual in a City Centre

context and this is an area where change is expected, and proposals of a similar scale have been approved within the immediate area. The applicant has set out a number of measures that they will implement to ensure that any construction impacts including means of access to the MOT Garage and continued operation of the Nursery would be maintained.

A full report is attached below for Members consideration.

Introduction

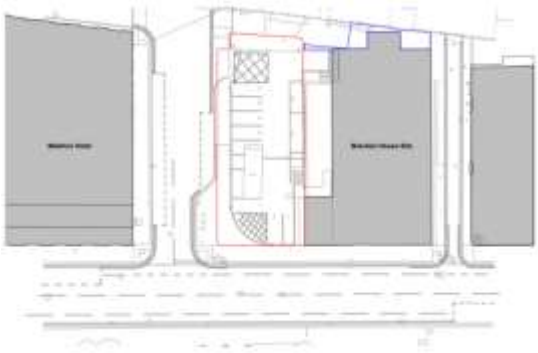
The Committee deferred consideration of this proposal on 31 May 2022 to allow them to visit the site.

Description of site/building

This 0.041 ha site is bounded by Charles Street, the Manchester South Junction and Altrincham Railway Viaduct, Bracken House and York Street. It was cleared in the 1960 and has been used as a 15 space car park. It is currently used as a compound for works at Bracken House.

There is a nursery in Bracken House that has an external play area between the building and this site. This is used regularly throughout the day. Currently the main entrance to the nursery is vis a ramp from Charles Street which sits within the application site. There is an alternative access via stairs also from Charles Street which is shared with the residential accommodation. The upper floors are homes.

There is an is an MOT garage in the viaduct arches. A 17 storey hotel is on the opposite side of York St. Circle Square contains offices, homes and PBSA and active uses. To the north is a large car park and the River Medlock.



Site Location Plan
(ramped access to Nursery within application site)

Image of site

Views of site from Charles Street

There are a number of Strategic Regeneration Frameworks (SRF's) areas nearby where significant regeneration has and continues to take place, including Circle Square, ID Manchester, First Street and Mayfield. The site is close to the Universities and a range of amenities including bars and restaurants, shops and offices. The closest homes are in Bracken House, opposite in Circle Sq and at Oxford Place at the junction of Charles Street and Oxford Road. Some homes in Bracken House and Vita Living on Circle Square have views onto the site. India House, Asia House and Lancaster House have views onto the site across a car park.

Bracken House is 9 storeys but more recent developments on Charles Street and at Circle Square range from 14 to 38 storeys.

The site is not in a conservation area but is part of a city block which includes Victorian and Edwardian buildings which are part of the Whitworth Street Conservation Area. These include Grade II* listed buildings, such as The Kimpton Hotel, India House, Lancaster House and Asia House. The grade II listed Lass 'O' Gowrie is on Charles Street. The site is in Flood Zone 3 and falls from south to north, with a 1 m level difference and is in a Critical Drainage Area.

All forms of public transport are nearby with Metrolink at St Peters Square, Oxford Road and Piccadilly Stations and regular bus routes on Oxford Road, Princess Street and Whitworth Street. Oxford Road is part of the Bee Network of cycle routes. The site is close to the UoM and MMU campuses and a wide range of services and facilities.

Description of Development

Permission is sought for 107 PBSA studios in a 15 storey building, including amenity areas and a 71 sqm walled garden on Charles St. There would be 83 studios at 18.1 sqm, 18 at between 19.3 and 25.5 sqm and 6 accessible (5%) rooms. 20 % of rooms (21) would be offered at a discounted rent, secured through a S106 agreement. The overall height would be 49m.

Typical Studio unit layouts

Proposed Ground floor Plan and potential location for tree planting.

The lobby would be accessed via the walled garden with lifts to a first floor reception. The ground floor also includes 28 cycles spaces, refuse storage and plant space. As part of the flood risk mitigation included within the development the reception is on the first floor. The first floor includes amenity areas, plant, staff welfare, management spaces and a room dedicated to wellbeing and pastoral care. A large flexible amenity space would be provided on the second floor.

The position of the current entrance to the Nursery would be retained and enhanced as part of the development. It would include a secure front door and an enclosed approach from Charles Street. During construction the nursery would have to use a stepped entrance off Charles Street which was previously used prior to the ramped access being installed, unless an alternative ramp can be provided. This route would also be used for means of escape. The new ramped entrance would be DDA compliant and a managed space which would double up as a fire escape for the nursery and the PBSA. The escape doors into the corridor would be alarmed and monitored by CCTV and lighting levels would also be improved. A level change would be addressed in the winter garden with an accessible ramp and 3 steps.

The applicants have put forward a number of temporary solutions that could provide ramped access to the Nursery during construction subject to relevant planning and highways consents being granted.

Two on street parking spaces would be replaced by a loading bay and an accessible parking space would be provided. Taxis drop off and pick up and ad-hoc deliveries by car or van would use the loading bay. Sheffield stands located near the entrance provide an option for visitors and ad-hoc deliveries via bike including take-aways.

Access to the bin store would be through the lobby. External access to the refuse stores would be managed. Waste would be initially stored in each studio.

It may be possible to provide a street tree on York Street subject to further investigations. There would be a blue roof at level 09 and green sedum roofs at level 9 and on the roof.

The building would step back from 9th floor on Charles Street and would cantilever out, oversailing the footway to York Street. This would allow the building to be stepped back from the boundary with Bracken House. Inset elements at roof level would accommodate the lift overrun and plant. The base would be heavily carved. The elevation to Bracken House would be set back by 6m from that building, similar to the width of Makin Street on the other side of Bracken House.

Distances to other buildings and areas required to be safeguarded

The core would be on the eastern edge with the studios having views to the west and south. The facade would be a contemporary interpretation of former mill buildings, with repetitive and careful detailing. The building would have a tripartite sub-division and a regular elevational form.

The elevation to Charles Street would comprise glazing set within terracotta panels and cladding with green tones with detailing and textural variation. The façade includes light bronze anodised perforated panels for ventilation, window frames and coping.

The elevations to the north and Bracken House would be more functional with a grid of light buff glazed brick and detailing but no windows. This would prevent direct overlooking into Bracken House and overlooking or safeguarding issues at the

nursery play space. The east facing elevation would incorporate an area for a tiled mural, the final design of which would be developed in consultation with neighbours, particularly the Nursery's external space.

First and Second floor levels

The proposal includes a 5m exclusion zone from railway infrastructure to safeguard the operation of the railway, for construction, access and maintenance.

The design reflects the site's location in Flood Zone 3 which requires flood water to enter and exit the ground floor**.**

The applicant is seeking an established and experienced PBSA operator. There would be a 24-hour on-site staff presence and the operator would be responsible for the day-to-day management of the accommodation and would put management and safeguarding procedures in place such as a Student Management Strategy (SMP) and Waste Management Strategy.

The Student Management Strategy would address: staffing arrangements and their areas of responsibility including on-site staff; times that the reception desk would be staffed and out of hours contact information; tenancy management, agreements and handbook / resident information; management of post and deliveries; wellbeing and pastoral care; security and complaints procedure; and Health and Safety

The development is expected to achieve a Breeam Excellent rating.

The build period would be approximately 2 years commencing Q2 2024 should permission be granted.

In support of the application the applicant states:

- The 107 PBSA bedspaces would be in a highly sustainable location, close to UoM and MMU campuses and within the ORC.

- The scheme would meet a pressing need for PBSA and the role it plays in ensuring the city's higher education establishments can continue to attract the

very best talent from within the UK and around the world furthering the economic success and social diversity of the city.

- There is a clear and pressing need for PBSA and this proposal would satisfy the requirements of Core Strategy H12 in providing: • Being in close proximity to the city's universities and high frequency public transport routes; • An appropriate density of development with sufficient infrastructure and amenities within the locality; • A positive regeneration impact through a range of direct and indirect social and economic benefits; • A design which preserves designated heritage assets, and also responds to prevailing character whilst avoiding unacceptable effects on the amenity of neighbouring residents; and • Certainty regarding deliverability.

- This is an optimal location for a PBSA, close to the universities and where it can make a tangible contribution to the success of the Corridor as a focus for the knowledge economy and as a vibrant, diverse and culturally rich place which reflects the confidence and energy of the city. This requires density to increase the residential population of the Corridor.

- The proposed constitutes approximately £350,000 in terms of investment value and is expected to contribute £200,000 in GVA each year during its operational life in addition to some £350,000 in student expenditure on local retail and leisure offer.

- The students would boost the local retail and leisure economy and contribute to the vibrancy of the Oxford Road Corridor. The increase in PBSA bedspaces would alleviate pressure on traditional housing stock, freeing up properties currently occupied by students for families and first-time buyers.

This planning application has been supported by the following information:

Application forms and certificates and plans; Design and Access Statement; Planning and Tall Buildings Statement including Green and Blue Infrastructure Statement; Statement of Community Consultation; Heritage Statement; Noise Assessment Report; Archaeological Report; Construction Noise and Vibration Assessment; Energy and Sustainability Statement; BREEAM Assessment; Ecological Survey; Phase 1 and 2 Geo-environmental Assessment; Flood Risk / Drainage Strategy; Transport Statement; Interim Travel Plan; Fire Statement, Crime Impact Statement; TV Reception Survey; Broadband Connectivity Assessment; Outline Student Management Plan; Local Labour Agreement; Neighbour Interface Statement; Logistics Strategy; Town and Visual Impact Appraisal; Train Induced Vibration Assessment; PBSA needs assessment; Wind microclimate assessment report; Whole life carbon assessment & circular economy statement; Ventilation design strategy; Dust management plan; Construction environmental management plan; Socio-economic regeneration impact statement and Environmental Statement including Chapters on Air Quality and Daylight, Sunlight and Overshadowing.

Consultations

Publicity – The occupiers of adjacent premises have been notified and the proposal have been advertised in the local press as a major development, accompanied by an Environmental Assessment, affecting the setting of a listed building, as affecting the setting of a conservation area and as affecting a public right of way. Site notices have also been placed adjacent to the application site.

16 Letters of objection have been received on the following grounds:

Impacts on Operation of the Nursery.

- Toddlers have an outside playing area facing the site how will they be protected from dust and noise during construction?
- It will block most of the Nursery's daylight.
- This is one of the few such facilitates in the City Centre and the impacts from development could cause them to close.
- The development would be horrendous for safety issues and with noise and disruption with dust and construction mess.
- How close the works and planned building is to the nursery is just a huge hazard and risk to our children's play, education and care.
- Construction will impact my child's development and he is so scared of loud noises due to the construction of the Maldron hotel and this plan is touching the nursery how is this not going to impact on the nursery with the ground works and drilling.
- It is hard to find a childcare place in Manchester at the moment with them all being full. And this will be a struggle to parents if this building is built and also a struggle for the nursery business wise which would be a shame as my child really enjoys coming to paintpots Manchester.
- In the past nursery had problems with students living in Bracken House with rubbish cigarette butts overflowing bins and drunks and I feel that if this student accommodation goes ahead the children and residents will be in danger with similar things reoccurring from this building also.
- We have listened to the Nurseries assurance that the Building works on Bracken House were progressing and soon will be finished, however, now we have been informed that there are potentially another 2 years of works about to commence.
- We are not prepared to leave our children in such an environment and now I have reviewed the plans I am astonished that they are even being considered - a 15 storey Building on a postage stamp. The Nursery have explained that they probably will close and as a parent and local worker I am shocked. This development is totally inappropriate for this site and the way in which it will clearly affect local jobs and infrastructure. Without childcare, we could not work in the City Centre, period.

Sunlight and Daylight Impacts

- These tall building are obstructing light into our flats and obstructing our view of the skyline.

- I feel it is beneficial that a child should get sunlight during the day and this building would block all sunlight as the playground is already dull since the hotel was built.
- Gradually all the light we used to enjoy is removed. This one is not particularly high compared to the monstrosity to the south but it wipes out another bit of the horizon.

Visual Impacts

- When we look out our window now all we can see is unsightly buildings

Impacts on Adjacent Businesses

1. The MOT Garage under the railway arches and associated parking and servicing serves local residents and people working in the City Centre and has 6 employees.
   There are significant concerns about the short-term implications of construction of the building upon the operation of this business and significant concerns about the long-term implications if permission is granted. The short term impacts could force the business to close and the MOT garage could be unworkable. The main reasons for this are set out below:

- Wind and sun - negative impact upon the MOT Garage

  The submitted Wind Microclimate assessment has not specifically assessed the impact upon his business and there are concerns that existing incidences of strong wind, which started occurring when the Maldron Hotel was built, will cause severe wind events which would have a detrimental impact upon staff and customers – and causing damage to the business.

  In addition, there are concerns that the proposed building, to the south of the business, will block all sunlight and significantly harm daylight.

- Engagement with Local Businesses

  The Neighbour Interface Statement at 1.11 states: “The applicant has carried out a range of consultation exercises prior to submission of the application with the following: Local businesses, including extensive one-to-one engagement with Paintpots Nursery, the Maldron Hotel and the owner of the existing MOT garage to the rear;” The applicant approached the owner of the MOT garage one week before the submission of the application. As such there was not really any effort made to engage with the garage and to discuss the potential significant detrimental impacts upon the business.

  The only reference to the MOT garage in the Statement of Community Involvement is at 4.8 which discusses a meeting about impacts of the scheme. The owner of the MOT garage was not party to that meeting. Para 4.8 states theses discussed included “the impact on the nearby garage” and that “The

applicant addresses all of these matters in Chapter 6 of this document". Chapter 6 of that document makes no reference to the MOT garage. There is concern that the short- and long-term operation of this long-established business has not been given sufficient thought and without engagement with the owner or his employees.

- Noise and Vibration negative impact upon the MOT Garage

  The "CONSTRUCTION NOISE & VIBRATION ASSESSMENT" does not mention the MOT garage at all; this document includes mitigation of the impacts of construction noise and vibration. Piling is proposed to be used to construct the building. There is no mention of the impact upon the working conditions of staff and of customers at the MOT garage. It should be noted that 95% of the working week the doors to the MOT garage are kept open and there are fears that the impact of construction noise upon staff will result in them feeling like they are working inside a jet engine. The significant impacts of noise upon staff and customers could mean his business has to close.

- Noise from the MOT Garage impacting future residents - negative impact upon the MOT Garage

  The "Environmental Noise Survey and Noise Impact Assessment Report" states (page 12) in relation to the impact of noise from the MOT garage on future occupiers of the student accommodation

  *"The above indicates a likelihood of a significant adverse impact to proposed residents without noise mitigation measures, however, the context of the site must be considered to enable a full assessment. Where the initial estimate of the impact needs to be modified due to the context, BS 4142:2014 states that all pertinent factors should be taken into consideration, including the following: - The sensitivity of the receptor and whether dwellings will already incorporate design measures that secure good internal acoustic conditions." "*Clearly, therefore,
  an initial estimate of a significant adverse impact does not imply develo pment may not be permitted, provided that proposed development can i ncorporate design measures (i.e. embedded mitigation) that secure good internal acoustic conditions. In light of the above, we recommend that appropriate mitigation measures are incorporated into the design of proposed development to control noise from the proposed facilities to a suitable level internally to future residential demise."

  For 95% of the working week the doors to the garage are kept open. It appears to be a significant issue of noise impact from the MOT garage to future student residents in the development. This is highly likely to lead to noise complaints against the MOT business which could result in noise abatement action via the EPA and could alone lead to the forced closure of the business.

- Highways – negative impact upon the MOT Garage

Paragraph 7.4.7 of the Curtins Transport Statement explains the servicing and vehicle movements of the development has been assessed: *"Drawing 084709-CUR-XX-00-D-TP-06001 shows the location of the proposed waste store, location of the collection point and loading bay, with Drawing 084709-CUR-XX-00-D-TP-05001 showing the swept path analysis of an 8.4m and 9.0m refuse vehicle."*

Drawing 084709-CUR-XX-00-D-TP-05001 includes window 4 which shows vehicle Egress tracking for a 9 metre refuse truck/wagon. Annotation states: "*Vehicle reverses toward MOT test centre to complete turning manoeuvre".* The tracking shows the vehicle would have to reverse across the entrance to the MOT garage and across the pavement underneath the railway arches.

The blocking of the access to the garage would impact on business operation and there are concerns about pedestrian safety when the bin wagon crosses the pavement.

- <u>Construction Environmental Management Plan - negative impact upon the MOT Garage</u>

  There are significant concerns that the site accommodation and welfare, which is suggested by the application to be within the Europarks car parks has not been agreed and will not be an option for the development. In paragraph 3.5 of the submitted Construction Environmental Management Plan it is stated: *"Site Accommodation and Welfare The proposal for the main site accommodation and welfare is shown within the logistic plan off of York Street within the Europarks car park, the Developer has had initial discussions with the car park operator to facilitate this."* This document does not advise that agreement has been made merely there had been some initial discussions. If such an agreement has not been made whether the application is deliverable – as required by criteria 10 of policy H12.

  The "Construction Environmental Management Plan" does not mention the MOT Garage at all. It mentions other receptors as residential uses and the Nursery but not the garage. This document is submitted to demonstrate and explain mitigation of the any impacts of construction. The needs of the MOT garage have not been considered.

- <u>Impact of loss of employment at the MOT garage</u>

  The "Socio-economic Regeneration Impact Statement" looks at the positive impacts of job creation. This document does not list the likely jobs lost at the MOT.

- <u>Loss of Visibility of MOT Garage</u>

  The MOT garage has been visible from Charles Street for 30 years. The proposed development will block views of the business and as a result there will be a loss of passing trade.

- <u>Application Contrary to MCC Policies including H12</u>

  Policy H12 of the Core Strategy states: "*Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses.*"

  The proposed development will have significant impacts upon the MOT garage both during construction and in the long term such that there are genuine fears that this business will not survive because of the development proposed.

2. Paint Pots Day Nursery is an 81 place childcare based in Bracken House. Bracken House shares a boundary with this site. The nursery has operated for 28 years and provides essential childcare to many parents who work in the city centre or are studying in Manchester. The grounds for their objection are summarised below:

   Construction Stage

- parents may would remove their children from the nursery for the 76 week construction period due to concerns about the quality of provision and implications for safeguarding. It is unlikely that new children would join the nursery during this period. The nursery already operates at a financial loss and would be significantly further impacted by a loss of children making it all but impossible for the business to continue. This could undermine the City Council's ability to sustain sufficient childcare provision within the city centre (one of only 3 city centre providers) with the consequent loss of employment for circa 22 members of staff, many who have worked here for over 10 years. When full the nursery has employed over 30 people at any one time. More specifically this would be due to:

- the general disruption caused from the immediate proximity of the construction works;

- the removal of the ramped access from Charles Street which provides independent, safe, secure and level access to all staff and visitors, including parents. The alternative access shared with the residential entrance to Bracken House is accessible only via a steep set of stairs and is unsatisfactory for parents with small children, prams and pushchairs. From a child safeguarding point of view, it is essential that the nursery is able to maintain a direct and independent access that is not shared with other uses or accessed by other members of the public;

- during construction the outside play space would be unusable for safety reasons. If the nursery does not have access to an acceptable and safe alternative space it would not comply with Ofsted Guidance, the Early Years Foundation Stage (EYFS) Guidance and local authority expectations forcing the Nursery to close. The applicant has suggested a temporary provision of

play-space at the Euro Car Park during construction. Significant safety and safeguarding matters that preclude a remote site from being a realistic and feasible option. It would need to be signed off by Ofsted.

- the loss of an essential childcare service for many working parents whose place of employment is in the city centre or who attend one of the several Universities located nearby, is a material consideration in the determination of this application The December 2023 progress update on childcare sufficiency to the City Council's 'Children and Young People Scrutiny Committee' reminded Members of the statutory obligation placed upon Local Authorities to secure sufficient childcare for working parents, or parents who are studying or training for employment and for children aged 0-14 (or up to 18 for disabled children). The Manchester Childcare Sufficiency Report 2023 noted sufficient places to meet current demand across the City but expected pressure for more places to build in response to the expanded childcare entitlements that will start to come into effect from April 2024. Government data suggests that Manchester will require 15% more childcare places by September 2025 to meet demand for the new childcare offer for working families with children aged 9 months to 2 years.

- there is evidence that the City Centre will see increased demand for childcare, especially for younger children due to a significant number of parents working in the city centre and an increase in the number of families living in the city centre. According to the Childcare Sufficiency Update Report (Dec 2023), the 0-4 years population is on an upward trend. The consequences of this are evident in the opening of a primary school in the City Centre.

- The nursery and this site are on the border of Deansgate and Piccadilly Ward. The most recently published data shows that there is '*just'* sufficient provision of early years spaces. The loss of the nursery would result in a deficit of provision and compromise the ability for projected increase in demand up to mid-2031 to be met.

- The Council has expressed that it is keen to ensure high quality sustainable childcare is available to working families and is working closely with childcare providers to support inclusive growth. Given this and the context for provision set out above, the Council cannot afford to be unreasonably undermining existing early years provision that already exists within the city centre.

Post Construction

The proposal presents a real and significant threat to the sustainable future of the nursery business as it would not recover from the impact of the construction works.

The quality of the outdoor play space would be severely diminished and undermined by the proximity of the new building. It would be blocked in on both sides, have significantly reduced daylight and sunlight exposure and detrimentally impact on the overall usability and quality of the space. The reality is that it would remain an unusable space and therefore mean that the nursery would remain a non-compliant setting.

Reductions in levels of sunlight and daylight would also impact on the nursery's main office working environment which overlooks the play space.

Policy Considerations

- Paragraph 2.27 of the Core Strategy identifies the major challenges being faced by the City in terms of raising long-term growth as: i) the need to boost productivity so that the growth rate increases; and ii) to ensure that all parts of the city region and all its people enjoy improved opportunities as a result of a stronger economy. Paragraph 8.56 confirms that that there will be a particular emphasis on creating a family-friendly environment, which is a key ingredient to attracting and retaining a wider range of City Centre residents, so that City Centre living can be a choice which suits people irrespective of age or lifestyle, or changes in either.

- The proposal is not in a location compatible with existing adjacent uses and is not identified as a site that forms a key part of a pipeline of sites that are more key candidates for PBSA. The site can still be considered in line with the 2012 adopted version of the policy H12, however it will have a detrimental impact on maintaining the right balance of commercial, educational, residential, cultural and leisure uses and an overall adverse impact on an immediate neighbouring use. The principle that the proposal must come at the sacrifice of a well-established local business, that provides an essential service contribution to the economic growth of the city and the loss of which will have significant wider strategic consequences across other service provisions of the local authority is not accepted. The proposal is at direct odds with more significant strategic objectives.

- The nursery understands that there will be an ongoing need for PBSA. However, this must be balanced with the wider strategic economic and regeneration objectives of the city as a whole and in this instance, there is not a sufficient overriding need for additional PBSA in this specific location, to outweigh the loss of an existing business, which equally serves a fundamental role in the wider economic objectives of the City.

- Given the above the Proposed Development would be contrary to Policy CC 9 (Design and Heritage), Policy CC10 (A Place for Everyone), Policy H12 (Purpose Built Student Accommodation) and the City Council's recent review updates, regarding PBSA.

General

- The applicant claims within the 'Planning and Tall Buildings Statement' that they carried out a range of 'consultation' exercises prior to the submission of the application, including with Paint Pots nursery and at paragraph 3.13 states that there has also been 'extensive one-to-one engagement' with the nursery, who have also provided 'written feedback to the project e-mail'. It is noted that no specific copies of the written feedback have been enclosed in the application submission. This would confirm that that there has been no direct

support for the proposal from the nursery who have raised their significant concerns with the applicant with no acceptable resolution being found. Paragraph 3.10 of the submitted Planning and Tall Buildings Statement, notes that the National Planning Policy Framework (NPPF) recognises that good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community. Sadly, this has not been the outcome of engagement discussions from this process consequently there are considerable concerns as to how the real threat to and consequential loss of critically needed childcare provision can be an improved outcome for the community in this instance.

- The Applicant seems to have the attitude that it will just create difficulty regarding fire escape arrangements for the nursery if they don't agree to the solution that was presented.

The following general comments have also been received from objectors:

- Risk to my job as this is an inconvenience/threat to the surrounding businesses.
- Have the leasehold owners of Bracken House been notified about the applications.
- The level of engagement with interested parties including local businesses has been inadequate.

An objection has been received on behalf of the leaseholders of Bracken House who have 3 principal objections:

<u>Neighbour Notification and Pre-Application Consultation by Applicant</u>

- Residents have not been appropriately consulted. 90 leasehold owners were not notified. The LPA should ensure fair and reasonable notification. They question whether the LPA has fulfilled its statutory duty to consult immediately adjacent neighbours about a major proposal that will have a direct impact upon the amenity of residential units.

- The applicant provides no confirmation of which residents were consulted at pre-application stage and provides no confirmation of their efforts to make contact with the leasehold owners of Bracken House.

<u>Impacts on levels of Sunlight and Daylight and from Overlooking and loss of Privacy</u>

- All the homes in Bracken House are single aspect and residents would face a blank wall. This would have a significant impact on the quality of the living space and potentially mental health and well being.

- There would be major impacts on sunlight and daylight and the buildings previous use and provision under which it was converted should not carry any weight in terms of consideration of that impact. There is a limit to what can be considered acceptable in amenity terms, even in a city centre location.

Principle of PBSA in this location

- The proposal does not comply with Policy H12. It would not maintain the right balance of commercial, educational, residential, cultural and leisure uses and have an adverse impact on neighbours. It cannot be acceptable that the development should come at the sacrifice of a well-established local business, that provide an essential contribution to the citys economy and the significant detrimental impact on the residential amenity of many properties.

Ward Members - Councillor McCaul welcomes the developer consultation and recommended conditions to mitigate any impacts. They note that residents and businesses have raised issues relating to: consultation and impacts during and post construction as summarized below:

Consultation

- Bracken House is unoccupied and several leaseholders were not made aware of the proposal via the standard communications. Consequently, they are concerned that those most impacted have not had an opportunity to feed into the planning process.

Impacts During Construction

- The developer has considered the majority of challenges for this type of site but there would be ongoing challenges.

- There is no guarantee that an area for a compound could be secured on the Euro Car Parks site and this may need to be on York Street. This and potential road closures could disrupt access to and drop offs for businesses.

- The shared access to the Nursery with residents of Bracken House could impact on the nursery operation.

- The nursery do not consider that options put forward for an alternative outside space to be financially viable. There is a legal requirement for them to provide safe access to outdoor space (off site if not on site) and due to the City Centre location, it would not be viable for them to find another outdoor space which would put the business at risk of closure.

Post Construction Impacts

- Students moving in and out will use the same location for pick up and drop off as the Nursery and could impact on access to the MOT Garage and they request that liaison takes place with local businesses about this to minimize disruption;

- There would be adverse impacts on the levels of sunlight and daylight that adjacent businesses get following completion and further action to mitigate these impacts should be considered. They have requested that the committee visits the site to be able to fully appreciate the challenges the construction and building may give nearby residents and businesses.

Historic England – Have no comments and recommend that the views of the City Councils specialist conservation and archaeological advisers is sought.

Highways Services- Have no objections subject to conditions in relation to Cycling Off-Site Highways Works, Student Move In / Move Out Strategy, Delivery Management Service and Waste Management Strategies and Construction Management.

Environmental Health – (Street Management and Enforcement) - Recommends conditions relating to the acoustic insulation of the PBSA and any associated plant and equipment, the storage and disposal of refuse, the hours during which deliveries can take place, and the management of construction. Mitigation can be secured by conditions to manage potential impacts on air quality and from dust to ensure that the adjacent Nursery, its play area and nearby homes would not be exposed to significant environmental construction impacts from noise, vibration and dust.

Greater Manchester Police (Design for Security) – No objection subject to the recommendations contained in the Crime Impact Statement being implemented.

Greater Manchester Ecology Group – No objection but recommend conditions in relation to securing biodiversity enhancement and measures to contain surface water within the site.

Flood Risk Management Team – Recommended that Green Sustainable Urban Drainage Systems are maximised, and conditions should ensure surface water drainage works are implemented in accordance with Suds National Standards and to verify the achievement of these objectives.

Environment Agency – Have no objections subject to conditions relating to flood mitigation being included within the proposals.

HSE (Gateway One) – Are satisfied with the fire safety design to the extent that it affects land use planning.

United Utilities – No objections subject to surface water management conditions.

Work and Skills – Have approved the Local Labour Agreement for construction subject to a further report in relation to local labour achievements.

Greater Manchester Archaeological Unit – Notes that archaeological interest in the site is negligible and are satisfied that no further investigation is warranted and archaeological matters do not need to be considered further.

Network Rail – No objections subject to a condition relating to the safeguarding of their assets and mitigation for any impact on railway infrastructure from glint and glare.

Active Travel England – No objections

Natural England – No objection

Canal and Rivers Trust – Have no comments.

Cadent Gas – No objection

University of Manchester – No comments received

Manchester Metropolitan University - No comments received

Manchester Airport Safeguarding Office – Have no objections

National Air Traffic Safety (NATS) – Have no objections

Statutory Lead for Early Years Access & Sufficiency (EYAS), Manchester City Council 2nd February 2024.- The developer has had meetings with the Nursery which is identified as a key stakeholder. EYAS are concerned that the impact on the nursery could still be significant in spite of the assessments made on noise, vibrations, air quality and daylight. They are concerned about the accessibility of the nursery for the duration of, and subsequent to, the development. They are aware that some families drop off and collect children using a drop off parking spot close to the entrance. Removing this access is likely to have a detrimental effect on the nursery.

They note that the loss of the nursery could result in a deficit of places in this ward by 2025 but that may be offset by oversupply in another. It is not possible to predict where families take up their childcare place as this can be influenced by factors such as where they work or where they take another child to school. It is also possible that other nurseries may choose to open in the City Centre. They would, however, be keen to avoid the loss of a high quality, long standing daycare provider.

Issues

The Development Plan

The Development Plan consists of: The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan 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 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.

Manchester Core Strategy Development Plan Document (July 2012): The relevant policies within the Core Strategy are as follows:

Strategic Spatial Objectives

The Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies as follows:

SO1. Spatial Principles this is a highly accessible location and the proposal would reduce the need to travel by private car and support the sustainable development of the City and help to mitigate climate change.

SO2. Economy Jobs would be provided during construction with permanent employment and facilities in a highly accessible location. This would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

S03 Housing – The PBSA would be in a in a highly accessible, sustainable location.

S05. Transport The PBSA would be highly accessible, reduce the need to travel by private car and use public transport effectively.

S06. Environment The proposal would seek to protect and enhance the natural and built environment and ensure the sustainable use of natural resources to: mitigate and adapt to climate change; support biodiversity and wildlife; improve air, water and land quality; and, ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP 1 (Spatial Principles) - The proposal would have a positive impact on visual amenity and the character of the area adjacent to a number of strategic regeneration areas. The proposal would complement nearby developments.

Policy CC3 Housing – The proposal would contribute to meeting the Core Strategy housing targets for the City Centre and the PBSA could free up mainstream housing

Policy CC5 (Transport) - The proposal would be accessible by all sustainable transport modes and would help to improve air quality.

Policy CC6 (City Centre High Density Development) – This would be a high density development and maximise the efficient use of land.

Policy CC7 (Mixed Use Development) – The ground floor amenity space would add to the appearance of ground floor activity at the junctionof Charles Street and York Street.

Policy CC8 (Change and Renewal) – Jobs would be created during construction and in the building management.

Policy CC9 (Design and Heritage) - The design would be high quality. Its impact on the settings of nearby listed buildings and conservation areas is discussed in detail in the report.

Policy CC10 (A Place for Everyone) – The proposals would complement the regeneration of Circle Square, broaden the range of housing in the City Centre and would be accessible.

Policy H1 Overall Housing Provision - The PBSA would help to create a mixed community and would contribute to the ambition of building 90% of new housing on brownfield sites.

Policy H12 Purpose Built Student Accommodation - the provision of PBSA would be supported where it satisfies the criteria below. Priority will be given to schemes which are part of the universities'. Redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.

2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.

3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.

4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.

5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.

6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no

unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.

7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.

8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.

9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a university, or another provider of higher education, for the supply of all or some of the bedspaces.

10.Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

The proposals are in accordance with this policy and this is discussed in detail below:

Policy T1 (Sustainable Transport) – The proposal would encourage modal shift away from car travel to more sustainable alternatives and include improvements to pedestrian routes and the pedestrian environment which would prioritise pedestrian and disabled people.

Policy T2 (Accessible Areas of Opportunity and Need) – The proposal would be accessible by a variety of sustainable transport modes.

Policy EN1 (Design Principles and Strategic Character Areas) - The design would enhance the character of the setting of the adjacent conservation area and listed buildings and the image of Manchester. The design responds positively at street level and would enhance legibility. The design is discussed in more detail below.

Policy EN2 Tall Buildings - this proposal would be appropriately located, contribute to sustainability and place making and bring regeneration benefits. It would complement the City's built assets and make a positive contribution to the evolution of a unique, attractive and distinctive City, including its skyline.

Policy (EN3 Heritage) – The impact on the settings of the nearby listed buildings and conservation areas is discussed in detail later in the report.

Policy EN5 Strategic Areas for low and zero carbon decentralised energy Infrastructure the building has an energy strategy. There are no plans for district heating or other infrastructure in the local area. The energy systems which would be incorporated into the development could connect to any future infrastructure.

Policy EN6 (Target Framework for CO2) - An Energy Statement sets out how the development would comply with the target framework for CO2 reductions from low or zero carbon energy supplies.

Policy EN8 (Adaptation to Climate Change) – The development would seek a BREEAM Excellent rating.

Policy EN14 Flood Risk – The site is located in Flood Risk Zone 3 and is at a high risk of flooding from the River Medlock and surface water. Surface water runoff would be minimised. Flood risk would be mitigated through design features.

Policy EN15 (Biodiversity and Geological Conservation) – The site is not high quality in ecology terms and biodiversity enhancements are proposed.

Policy EN16 (Air Quality) - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and minimise traffic emissions. Parking is not proposed, cycling would be encouraged. Dust suppressions measures would be used during construction.

Policy EN17 (Water Quality) – An assessment of the site's ground and groundwater conditions shows the proposal would be unlikely to cause contamination to surface watercourses and the impact on water quality can be controlled by a condition.

Policy EN18 (Contaminated Land and Ground Stability) - A desk study identifies possible risks arising from ground contamination and any impact could be controlled through a condition.

Policy EN19 (Waste) - The development would be consistent with the principles of waste hierarchy. A Waste Management Strategy sets out how waste production would be minimised during construction and operation. The onsite management team would manage the waste streams.

Policy DM1 (Development Management) – Careful consideration has been given to the design, scale and layout of the building along with associated impacts on amenity. These issues are considered full, later in this report.

DM2 'Aerodrome safeguarding' - the proposal would not impact on aerodrome safety.

PA1 'Developer Contributions' The applicant has offered to provide discounted rented accommodation and has agreed to enter into a legal agreement with the City Council to secure this. In addition, as the waste collections are reliant on private collections, this is also secure through the legal agreement to ensure it remains in place for the lifetime of the development. 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 DC18.1 Conservation Areas – The proposal would have no impact on the setting of the Whitworth Street Conservation Area. This is discussed in more detail below.

Saved Policy DC19.1 Listed Buildings – The proposal would have no impact on the settings of the nearby listed buildings. This is discussed in more detail below.

Saved Policy DC20 Archaeology – An archaeological desk based assessment concludes that the archaeological interest in the site is negligible and as such no further investigation is warranted.

DC22 (Footpath Protection) - The development would improve pedestrian routes in the local area through ground floor activity and repaving.

Saved Policy DC26.1 and DC26.5 Development and Noise – The application is supported by acoustic assessments and the proposal would not have a detrimental impact on the amenity of surrounding occupiers through noise. This is discussed in more detail below.

Other material policy considerations

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral

hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The relevant policies in the Plan are as follows:

Objective 1: Meet our housing need – this proposal would provide 107 student bedrooms. Providing student accommodation in a sustainable location is an essential component of the City's housing strategy.

Objective 2: Create neighbourhoods of choice – this proposal would develop a brownfield site close to jobs, amenities and public transport.

Objective 3: Playing our part in ensuring a thriving and productive economy in all parts of Greater Manchester – jobs would be created during construction and when the development is operational.

Objective 4: Maximise the potential arising from our national and international assets – the proposal would provide an appropriate development on a strategic through route removing a vacant and poor quality site from the area creating a high quality development with enhanced street level activity and legibility.

Objective 5: Reduce inequalities and improve prosperity – The site is close to employment and educational opportunities.

Objective 6: Promote the sustainable movement of people, goods and information – The proposal would be within walking distance to Oxford Road and Piccadilly stations, Metrolink stops and have with access to the local bus corridor on Oxford.

Objective 7: Playing our part in ensuring that Greater Manchester is a more resilient and carbon neutral city-region – This low carbon development includes Air Source Heat Pumps and there would be improvements as a result of green sedum roofs.

Objective 8: Improve the quality of our natural environment and access to green spaces – biodiversity would be improved and surface water would be managed.

Objective 9: Ensure access to physical and social infrastructure – There are amenities and services nearby.

Objective 10: Promote the health and wellbeing of communities – travel planning would promote use of public transport and the use the local amenities.

Policy JP-Strat1: Core Growth Area- The development would support economic growth. The 107 student bedrooms would support the student accommodation pipeline and employment and economic growth. It would create jobs during construction and when in operation.

Policy JP- Strat2: City Centre- This would be a high density scheme in a highly sustainable location. The biodiversity would be improved.

Policy JP-S2: Carbon and Energy – The proposal would include Air Source Heat Pumps and would exceed the requirements under Part L 2022**.**

Policy JP-S5: Flood Risk and the Water Environment – The development would have an integrated drainage scheme that would minimise surface water run off.

Policy JP-S6: Clean Air – An accessible parking space would be provided on York St. Construction activities can be mitigated to minimise the impact on air quality.

Policy JP-S7: Resource Efficiency – Resources would be consumed during construction. On site demolition is limited. The proposal would be highly efficient and low carbon.

Policy JP-H3: Type, Size and Design of New Housing – The proposal would include 107 studios including larger studios and 6 accessible studios together with student amenities, management suite.

Policy JP-H4: Density of New Housing – This would be a high density development in a sustainable area.

Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity – There would be sedum roof and potential for inclusion of bird and bat boxes which would increase biodiversity.

JP-P1 Sustainable Places – The proposal would develop a vacant site. External amenity space and community space would support the community. The development would promote recycling.

Policy JP-P2: Heritage – The architecture and materiality would be high quality and minimise and impacts to nearby historic buildings.

Policy JP-C1: An Integrated Network – This is a highly sustainable location and is well connected to public transport, jobs, recreation and green infrastructure.

Policy JP-C4: Streets for All – The upgrade of the footways and cycleways would support an integrated network of street and improve permeability and accessibility to the city centre and the Oxford Road Corridor.

Policy JP-C7: Transport Requirements of New Development – The proposal would be connected to the infrastructure and nearby public transport.

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 (in accordance with Design for Access 2), 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 support and align with the overarching objectives promoted by the Guide.

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.

The proposal would support and align with the overarching objectives promoted by the Guide.

Manchester Strategy (January 2016)

The strategy sets the long term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the level and range of residential accommodation is fundamental to achieving that vision. The proposal would support and align with the overarching objectives promoted by the Strategy.

Manchester Housing Strategy 2022-2032

This seeks to deliver 36,000 new homes by 2032, including 10,000 affordable homes (some 28% of total delivery) and supports high density housing in the core of the conurbation. It also sets out the need for residents (who include students) to have access to good quality accommodation across different types, tenures, and price ranges. The proposed development would go some way to contribute to achieving the above targets and growth priorities and would deliver 21 affordable rooms. The provision of affordable rooms is covered in more detail later in this Report.

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.

The provision of sedum roofs and potentially a street tree and other measures to enhance biodiversity such as bird boxes would support and align with the Strategy.

Manchester City Centre Strategic Plan- The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the city centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over period of the plan, updates the vision for the city centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the city centre neighbourhoods and describe the partnerships in place to deliver those priorities.

The site of the current planning application falls within the area designated as the Corridor. The Plan recognises ‘Corridor Manchester’ as a unique area of the City, and the most economically important in Greater Manchester.

The plan identifies the Corridor Manchester as a unique area of Manchester and the UK. It is a hub containing world-class higher-education institutions, a leading research and teaching hospital complex, and a rich range of cultural facilities.

It notes that the successful development of Corridor Manchester is fundamental to driving future economic growth and investment in the Manchester City Region. Corridor Manchester is identified as economically the most important area within Greater Manchester, with more job creation potential than anywhere else. The area generates £3billion GVA per annum, consistently accounting for 20% of Manchester’s economic output over the past five years. The area has more than 60,000 jobs, over half of which are within knowledge-intensive sectors, including health, education and professional, scientific and technical sectors.

The strategy identifies the continuing development of the University of Manchester and Manchester Metropolitan campus masterplans to create high quality learning

environments that enhance the student experience. The proposed PBSA would support the continuing development of the Universities close to good transport links for ease of access.

Corridor Manchester (Strategic Spatial Framework) - The Corridor Manchester Partnership brings together Manchester City Council, the University of Manchester, Manchester Metropolitan University and the Central Manchester University Hospitals NHS Foundation Trust with the aim of generating further economic growth and investment in the knowledge economy for the benefit of the City Region.

Oxford Road Corridor (ORC) following the preparation of the Corridor Strategic Vision to 2025.

Corridor Manchester is a strategically important economic contributor and a key growth area within the city. The Corridor Manchester Strategic Spatial Framework will build on this. This represents a long term spatial plan for the Corridor based on recognition that there is an inadequate pipeline of space for businesses and institutions within the Corridor to properly grow and realise their potential. This is evidently a constraint to the realisation of the Corridor Manchester vision. The Framework seeks to strengthen the Corridor as a place to live, visit and work for students and knowledge workers from across the world. The strategy recognises that for the area to continue to be successful there needs to be a focus on the development of a cohesive, inclusive area. The development programme plans to deliver over 4 million sq ft of high quality commercial, leisure, retail, and residential space.

Corridor Manchester already contains one of the largest higher-education campuses in the UK with nearly 70,000 students studying at the University of Manchester, Manchester Metropolitan University and the Northern College of Music. These educational institutions are world renowned, and Manchester is recognised as a destination of choice for students across the globe.

Both the University of Manchester and Manchester Metropolitan University have put in place aspirational growth plans. This includes the University of Manchester's proposed £1 billion capital investment programme which seeks to deliver the 'world class estate' needed to support its 2020 vision to be one of the leading universities in the world. Manchester Metropolitan University has recently published a ten year Estates Strategy which outlines a series of strategic investment proposal to the value of c£300m to support its University Strategy. The Strategy notes that over the next five years, the number of students studying at MMU will grow by 10%. This concentration of students is very evidently a key part of the success of the Corridor.

It underpins and supports the research activities of the educational institutions, whilst the large population living, working and spending time in the Corridor give the area its vibrancy and contribute significantly to its large economic output.

However, Manchester is operating in a highly competitive higher education market. The City must continue to look to enhance the student experience if it is to maintain its position on the world stage and realise its growth aspirations for the Corridor. This is a key objective of the investment plans outlined by the universities as, at present,

the future success of Manchester as a student destination will, in part, underpin the realisation of the Council's aspirations for Corridor Manchester. This will require continued investment in the infrastructure which supports the student population and that ensures the student experience remains world renowned. This will include investment in educational facilities but also extends to transport infrastructure, retail and leisure facilities and, critically, high quality and accessible residential accommodation.

This is recognised by Corridor Manchester Strategic Spatial Framework, which states that:

"The investment of the universities and their recognition as world class institutions will undoubtedly result in an increasingly greater student intake from outside the region and internationally. This will drive demand for new student residential accommodation within the Corridor, in locations that are within a reasonable walking distance to the heart of the universities, over the lifetime of the strategy. This will include an upgrade of existing stock that is reaching the end of its life as well as additional provision. New student accommodation must incorporate a range of price points and be of a quality in terms of product, management and pastoral care that will safeguard the student experience, particularly for first year and overseas students".

The SSF identifies the essential role that surrounding neighbourhoods, will play and how that role will be facilitated through the creation of high quality connections and new public realm. It also establishes the principle that development of land in the Oxford Road Corridor should prioritise commercial or educational/research use, in order to maximise the growth potential of the Corridor, recognising the limited availability of land which is likely to become more and more of a significant challenge in terms of growth potential. The PBSA Reports detailed above acknowledge that given the finite supply of land that, student accommodation should, therefore, be in the right locations, in appropriate numbers, and only where it supports wider growth.

The SSF set out the benefits of clustering through good quality and legible north-south and east-west connections. The site is located within easy reach of the wider Oxford Road Corridor, it represents a key opportunity, in a sustainable, attractive location, which will support the City's strategic growth objectives.

The proposed PBSA would support the enhancement of the student experience within the highly competitive higher education market detailed above. The provision of critical infrastructure in the form of accessible quality market facing PBSA accommodation would meet the demands of some students for an enhanced student experience. For these reasons and as discussed in more detail later in this Report would support the objectives of the SSF.

<u>The Former BBC Strategic Development Framework (BBC SRF) and Circle Square Masterplan –</u> Circle Square to the south of the Site (the former BBC site) and is a key strategic regeneration site within the Oxford Road Corridor.

To date the Circle Square development has provided:

8 buildings varying from 12-37 storeys, buildings fronting Charles St range from 17-37 storeys.

- 1.2m sq. ft. commercial space – including a new hotel
- C430,000 sq. ft. (NIA) PRS residential (c.700 apartments)
- C. 390,000 sq. ft. serviced apartments (c.1000 units)
- C.100,000 sq. ft. retail space
- Multi-storey car park providing c.1000 spaces.
- Reinstatement of historic street routes creating a fine grain running north/south and
- east/west
- 2.2 hectares new public realm – a significant, central green space with c.200 new trees & a central commercial unit

The proposed development in this location would provide a complementary facility to support the successful delivery of the Masterplan.

North Campus Strategic Regeneration Framework, January 2017 - The Application Site is located to the west of the North Campus SRF area. The North Campus is one of the few large, centrally located sites in Manchester City Centre yet to undergo major regeneration. There are vast opportunities that have been identified in the area that will allow this part of Manchester to reconnect with the city and with other redevelopments in its vicinity. It is anticipated that the North Campus will be able to provide and deliver numerous social, economic and environmental benefits to Manchester and to the wider North West region.

Close to Manchester's Piccadilly train station and Oxford Road, North Campus will enhance city centre connectivity. The area will also benefit directly its proximity to the integrated transport hub and from the delivery of both HS2 and Northern Powerhouse Rail (NPR).

As well as creating the opportunity for new homes and jobs, the benefits of North Campus to the city of Manchester include accessibility and direct connection to the University of Manchester's main campus to the south-west, and central Manchester to the north of the site. The Application Site is well positioned on Charles Street to help improve this connectivity along east-west routes from Oxford Road to Piccadilly.

MCC Executive Committee Reports on PBSA

Executive Report 'Consideration of Policy H12: Purpose Built Student Accommodation Within the Changing Market Context' in November 2019.

This set out that there is an increasing scarcity of land within the City Centre, including within the Oxford Road Corridor. As such, there is a need for the finite amount of land to be used strategically to support the economic growth of the Corridor.

The report goes on to highlight that there are an increasing number of international students who are typically choosing to live in the City Centre due to rising lifestyle expectations, property type and management; however, there has been a limited

number of PBSA schemes delivered resulting in increasing pressure on the traditional rental market, coupled at a time with an increasing number of non-student residential growth. These trends have contributed to an increasing rental level across the City and high levels of council tax exemptions in traditional market housing stock.

The report references that whilst Policy H12 remains relevant, market changes, which have seen higher numbers of numbers of second- and third-year students in particular living in the mainstream private rented sector in the city centre, dictate the need to review the interpretation and application of the Policy. The purpose of the review being to primarily respond to affordability challenges, the need for PBSA, and the need to locate accommodation in close proximity to the higher education institutions.

The Report sets out policy proposals made with respect of the application of Policy H12 in ensuring that the right mix of student housing is delivered, in the right parts of the city, to meet the demands of the evolving student population and the wider growth and regeneration objectives of MCC and its partners.

Executive Report (9 December 2020) Purpose Built Student Accommodation in Manchester

The Executive considered a subsequent report titled Purpose Built Student Accommodation in Manchester, which concluded that the principles set out in the November Executive Report remain appropriate as providing context for the application of Core Strategy Policy H12. The Report concluded that, *"While not formal policy, the recommendation is for this approach to be of material consideration in the application of Policy H12 when considering planning applications for purpose built student accommodation schemes."*

The Report therefore suggested that a refreshed approach to PBSA is required to ensure that the right mix of PBSA is delivered in the right parts of the City in order to cater to the demands of the evolving student population and wider economic growth of Manchester.

The Report noted that there is a need to provide balanced neighbourhoods that respond to all forms of housing need, including PBSA located in the Oxford Road Corridor, in proximity of the universities concluding that the Oxford Road Corridor is the appropriate location for such new PBSA.

It noted that for Manchester to remain competitive as a world class education hub, with an accommodation offer to match, the current level accommodation needs to be addressed. New stock in appropriate locations should deliver an improved student experience, which better reflects Manchester's institutions and its educational reputation, and also helps to contribute to sustainability targets.

The critical need to ensure there is a residential market, which meets the needs of students at an affordable price was also noted. The city cannot allow affordability to impact on the ability to attract and retain students from a range of backgrounds, and/or prohibit them from living in areas close to the university campuses. Concerns

about the overall quality of Manchester's PBSA stock compared to other cities was also raised.

The policy consideration of this application has therefore been considered with respect of the above Reports.

Executive Report (31 May 2023) Purpose Built Student Accommodation in Manchester

The report addressed issues that have arisen since the December 2020 report and established a pipeline of schemes to address a projected shortfall of accommodation up to 2030.

It recognised that there is a shortage of PBSA in Manchester and that demand for PBSA could be between 5440 bed spaces (representing 1% growth per annum) and 11320 (2% growth per annum) up to 2030 with the actual demand based on a number of factors including the growth of the Universities, Government policy (tuition fees) and global factors. Demand needs to be reviewed regularly but 750 new spaces are expected to be required per annum up to 2030.

The report addressed the Inspectors findings at the recent appeal at Deansgate South around the need for the Council to establish, monitor and manage a pipeline of scheme in order to demonstrate that demand for PBSA can be met in appropriate locations. The report identified a pipeline of sites that could be used for PBSA including those within the estate plans of the University of Manchester and Manchester Metropolitan University.

The report stated that should there be sufficient opportunity, there would be no obvious need to significantly depart from Policy H12 which has largely been effective in managing the supply of PBSA.

20 sites were identified which could potentially support around 12,500 PBSA bedspaces. Their suitability, availability and deliverability were assessed to establish whether they are capable of meeting bedspace requirements, in line with identified and projected need.

Whilst the application site has not been identified as one of the sites within the pipeline to meet demands in the City, the 107 student beds, would bolster pipeline supply and ease pressure on current student accommodation levels. This also need to be considered in the context of there being a finite number of sites which can accommodate PBSA in a sustainable manner given the need for these to be located close to the universities and associated facilities and service.

Consideration has been given to the suitability of student accommodation against the requirements of policy H12 of the Core Strategy which is considered in detail in this report.

<u>Stronger Together: Greater Manchester Strategy 2016-2025 -</u> This is the sustainable community strategy for the Greater Manchester City Region. The Manchester Strategy 2016-25 also identifies a clear vision for Manchester's future, where all

residents can access and benefit from the opportunities created by economic growth. Over a thirty year programme of transformation, Manchester has become recognised as one of Europe's most exciting and dynamic cities. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region and a high quality of life. All its residents are able to contribute to and benefit from sustained prosperity.

The proposed PBSA accommodation would support and align with the overarching objectives promoted by the City Region via the GM Strategy.

Climate Change

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city which will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city's liveability, sustainability and connectivity;
- Develop a post-2020 carbon reduction target informed by 2015's intergovernmental Paris meeting, using devolution to control more of our energy and transport;
- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience

Manchester: A Certain Future (MACF) is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council (MCC) has committed to contribute to the delivery of the city's plan, and set out its commitments in the MCC Climate Change Delivery Plan 2010-20.

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. 1.3 In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

The Zero Carbon Framework - outlines the approach which will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the world-renowned Tyndall Centre for Climate Change, based at the University of Manchester.

Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO2 from 2018-2100. With carbon currently being released at

a rate of 2 million tonnes per year, Manchester's ‘carbon budget’ will run out in 2025, unless urgent action is taken.

Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a ‘circular economy’, in which sustainable and renewable materials are reused and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) -This Implementation Plan is Greater Manchester’s Whole Place Low Carbon Plan. It sets out the steps we will take to become energy-efficient, and investing in our natural environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester’s air quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation

The alignment of the proposals with the policy objectives set out above is detailed below.

National Planning Policy Framework (2021)

The revised NPPF re-issued in December 2023. 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 6 ‘Building a Strong, Competitive Economy’ states that Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para 84).

The proposal would generate 45 full-time equivalent (FTE) jobs during the 2 year build period, contributing c.£6 million GVA to the Greater Manchester economy (including c.£4.9 million concentrated in Manchester) Once operational, it would support 5 FTE jobs and contribute c.£350,000 GVA to the local economy per academic year.

Section 8 ‘Promoting Healthy and Safe Communities’ states that planning policies and decisions should aim to achieve healthy, inclusive, and safe places and beautiful buildings (para 96). The proposal would be safe and secure. Cycle parking is provided. A disabled parking bay would be provided available adjacent to the development. Further spaces are available in nearby multi storey car parks. Amenity spaces for residents and green infrastructure would be provided. The building would have a high quality and contextually appropriate appearance.

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’ (para 109).

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 114).

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 115).

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 116).

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 117). The site is well connected to all public transport modes which would encourage sustainable travel. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. A travel plan would be secured as part of the conditions of the approval.

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 123).

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 124)

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 127)

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 128).

The proposal would re-use a brownfield site currently used as a site compound and space and previously as a temporary surface car parking. The scale and density of the proposal is considered to be acceptable and represents and efficient use of land. The PBSA would meet known regeneration requirements in the area. The site is close to sustainable transport infrastructure. A travel plan would encourage the use public transport, walking and cycle routes to the site. There would be no car parking reducing car journeys associated with the development.

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 to 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 building would be sustainable and low carbon. The Proposed Development would include biodiversity enhancements, green infrastructure and the potentially include a new street tree.

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 (para 157).

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 159).

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 162).

The buildings fabric would be highly efficient, and it would use only electricity for heating and other building services. Efficient drainage systems would manage water at the site. The building design would mitigate and manage flood risk.

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. High performing fabric would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements include sedum roofs and there is potential for a street tree and bat and bird boxes which would be an improvement based on the current condition of the site.

Paragraph 189 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. There is contamination at the site from its former uses. The ground conditions are not usual or complex and can be appropriate remediated.

Paragraph 191 outlines that decisions should ensure that 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 construction but these can be managed to avoid any unduly harmful impacts on amenity. There are no noise or lighting implications associated with the operation of the development.

Paragraph 192 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 construction. There would be a travel plan and access to public transport encouraging alterative travel choices.

Section 16 ‘Conserving and enhancing the historic environment’ states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the

proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (para 200).

In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 204).

In considering the impacts of proposals, paragraph 205 states that the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 209).

The proposal would cause no harm to the setting of heritage assets. This is considered in detail in the report.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

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.

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.

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

Health and wellbeing 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);

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.

Heritage states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit."

Public benefits may also include heritage benefits, such as: - Sustaining or enhancing the significance of a heritage asset and the contribution of its setting; - Reducing or removing risks to a heritage asset; - Securing the optimum viable use of a heritage asset in support of its long-term conservation. 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 case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

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.

Environmental Impact Assessment

The applicant has submitted an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and has considered the following topic areas: Air Quality; Sunlight and Daylight Assessment; - Cumulative Effects. The Proposed Development is an “Infrastructure Project” (Schedule 2, 10 (b)) as described in the EIA Regulations. An EIA has been undertaken covering the topic areas above as there are judged to be significant environmental impacts as a result of the development and its change from the current site condition as a cleared site.

The EIA has been carried out on the basis that the proposal could give rise to significant environmental effects.

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. It is considered that the environmental statement has provided the Local Planning Authority with sufficient information to understand the likely environmental effects of the proposals and any required mitigation. Conservation Area Designations

Principle of the redevelopment of the site, contribution to regeneration Principle and Socio Economic Impact

The contribution a scheme would make to regeneration is an important consideration. The growth and development of the higher education sector is critical to the City’s economic growth.

Attracting students ensures that Manchester remains competitive globally and builds upon its reputation as a world class place to study. Providing PBSA is vital to this. Graduates make an important contribution to the city’s economy with over 50% staying here to work, the second highest behind London. This high level of graduate retention is vital to business growth and retention in the City. There are important links between economic growth, regeneration and the provision of homes, including PBSA in appropriate locations, as part of creating sustainable communities.

The proposal would deliver significant social, economic and environmental benefits.

Construction phase:

75 FTE jobs would be created over 1.5 years during construction**;** and result in a net additional contribution of £6 million GVA to the Greater Manchester economy, with £4.9 million in Manchester.

Operational phase:

The students would generate expenditure of £350,000 per academic year, with their visitors contributing a further £60,000. This could support 2 jobs locally in the hospitality and retail sectors, and 5 FTE employment opportunities in the operation of the PBSA, generating gross direct GVA contribution of £200,000 (gross).

There would be supply chain benefits creating more jobs.

The redevelopment of this vacant, brownfield site would complement the regeneration of the area; the 107 bedspaces would contribute to the student accommodation pipeline, close to universities, of which 20% would be affordable; a local labour proposal would be agreed to ensure local employment.

Up to 36 student HMOs could be freed up. Potential freeing up of HMOs to provide accommodation for families.

The proposed use is therefore considered to be consistent with the Core Strategy policies SP1, EC1, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1 together with the NPPF. It is however necessary to consider the potential impact of the development in terms of policy H12 PBSA

Principle of Student accommodation and compliance with Policy H12

Significant weight should be given to policy H12 PBSA. The Executive reports in December 2020 and May 2023 on PBSA are a material consideration. Policy H12 outlines criteria which must be addressed.

The site is close to Oxford Road and close to the University Campuses.

An Energy Strategy for Plot 10b has been submitted within this application and discussed below. It is considered on that basis that the proposal would meet the requirements of point 2 of Policy H12.

The site’s prominent location within the ORC and city centre lends itself to very high-density development in order to make the most efficient and effective use of the site. The PBSA would be located in a mixed-use area where existing residential (student and non-student) development exists, alongside supporting facilities and other uses which reflect its prominent and accessible location in the City Centre (e.g. food and drink uses, hotel and cultural and visitor attractions). The area is a popular location for students and non-students alike and, to this end, is an appropriate location for additional student accommodation.

On the basis of the site's highly sustainable location, the Proposed Development will not include any standard resident or standard visitor access requirements for vehicles. An on-street disabled parking bay will be provided. Students will be further encouraged to use sustainable transport greed as part of the Travel Plan and Student Management Strategy. It is expected, therefore, that the proposal would not result in an increase in on-street parking in the surrounding area.

It is considered therefore on the basis of the above 2 points that the proposal would meet the requirements of point 3 of Policy H12

The proposal would contribute to the pipeline of PBSA and address need identified in the May 2023 Executive report. This would reduce the demand by students on mainstream housing.

The proposal would support the objectives of the Oxford Road Corridor strategic spatial framework guide. It would re-use a brownfield site and create a high quality building.

It is considered therefore on the basis of the above 2 points that the proposal would meet the requirements of point 4 of Policy H12.

The development would incorporate measures such as a 24 on site staff presence and would comply with the recommendations of the Crime Impact Statement and a condition should require Secured by Design accreditation. The site is vacant and without lighting. Extensive lighting would be implemented throughout this development as well as CCTV cameras and improve safety and security. It is considered therefore that the proposal would meet the requirements of point 5 of Policy H12.

The development is designed so as to minimise overlooking of adjacent residential uses (notably Bracken House). As detailed later in this Report there would be no unacceptable amenity issues arising from noise or vibration, changes to the wind microclimate or through the loss of daylight / sunlight or overshadowing in the sites urban context.

There should be no increased noise as a result of the PBSA use. The building would be subject to appropriate acoustic insulation levels and a Management Plan which could be a condition and ensure that the development would be well run and that its operation respects nearby residents. Arrivals would be managed to ensure that student arrivals cause the minimum disruption to residents and highway operation.

It is considered on the basis of the above points that the proposal would meet the requirements of point 6 of Policy H12.

The site is vacant and does not contain any heritage assets. Impact on heritage assets in the surroundings have been assessed and it is considered that there would be no harm to the setting of heritage assets from the development. It is considered therefore that the proposal would meet the requirements of point 7 of Policy H12.

The student residence will have 24 hour on site management which will be responsible for managing the waste and recycling strategy on-site. Student refuse is stored in the studios and transferred by them via lifts to a ground level adjacent to the proposed loading bay. On collection day, the management team would move the refuse bins to the collection point. The Waste Management Strategy demonstrates that the bin stores can accommodate the forecast number of bins provided that it is collected via by a Commercial Waste Operator and this would be secured through a legal agreement.

It is considered therefore that the proposal would meet the requirements of point 8 of Policy H12.

In respect of the need for additional student accommodation, this has been recognised by the City Council in its report of PBSA to the Executive Committee. It is acknowledged within those reports that present levels of PBSA available to support student population and the limited investment in PBSA over recent years is causing a series of issues for the City. Those include driving rents upwards such that Manchester is one of the most expensive UK cities for PBSA; and students increasingly occupying mainstream housing stock. This means family and other forms of housing is being occupied by students preventing working households from accessing this stock. The latter also has an impact on the affordability of housing to meet local residents' needs, significantly reduces Council Tax revenue through student exemptions, and creates issues in terms of effective management (with consequential impacts on amenity, neighbourliness, etc).

Not only does this have a detrimental impact on the housing market, contributing to inflating prices in the private rental sector, it also has an adverse impact on affected communities, with students living in accommodation not best suited to their needs. Providing high-quality purpose-built student schemes such as that proposed can support the effort to return non-PBSA residential accommodation to the mainstream market and the long term sustainability of affected communities.

It is considered that the proposal would meet the requirements of point 9 of Policy H12.

The Applicant has a strong track record of development delivery across the UK. A full design team is assembled, the applicant is well advanced in selecting a principal contractor, and the intention will be to start construction as soon as planning permission is granted, in full confidence there is strong market demand.

They are fully committed to bringing forward the site with a target opening year of the 2026/27 academic year. It is considered therefore that the proposal would meet the requirements of point 10 of Policy H1

The proposal would fully comply with the requirements of policy H12 and with the detailed criteria in the December 2020 and May 2023 Executive reports and the principle of developing PBSA at the site is considered to be acceptable. The proposal complies with the aspirations of the Oxford Road Corridor Spatial Framework Guide by providing purpose built student accommodation within walking distance of the University Campuses.

A condition is to be included to control ensure that the accommodation is used exclusively and solely for the intended purpose as student accommodation. This would 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 and safeguard the character of the area.

Affordable student accommodation

Whilst there is no planning policy requirement to provide affordable accommodation within PBSA, the December 2020 Executive report recognised that a more diverse pipeline of PBSA is required. The applicant has offered to include affordable rented accommodation. 21 studios would be available at a discounted rent and made available to students at a Manchester Higher Education Institution. These rooms would be the same size as all other rooms.

Affordable student accommodation is not required to make this development acceptable and is being offered on a voluntary basis by the applicant. It is not a material planning consideration in this instance and Members should not take it into account in the determination of this planning application.

It should be recognised though that the cost of PBSA is an issue that has been raised by student bodies and Manchester Universities and was identified as a key issue in the Executive reports. The provision of affordable student accommodation is necessary and essential to meet need and demand going forward. The affordable accommodation would be secured by a legal agreement.

Impacts on Local Businesses

<u>Construction Phase Impacts</u>

A Logistics Strategy demonstrates that the site hoarding would not encroach on any other properties. The construction site includes part of the footway but a 1.8m route would be retained on Charles Street at all times. The footway on the eastern side of York Street would be closed, but the footway on the western side is unaffected.

Figure 1 : Extract from Logistics Strategy

It would not be necessary to close York Street or Charles Street, either partial or full, but some parking would be lost on York Street and the footway on the north side of Charles Street would be partially closed. Access to the MOT garage, the Maldron Hotel and the service area of the Kimpton Hotel would be unaffected.

Deliveries for construction would be to a site compound to the north of the railway viaduct which should ensure that access to DC Motors would not be affected. The developer would aim to arrange deliveries outside of business hours where practicable. Should a construction vehicle be stationary on York Street for anything other than a very short period, for example whilst getting access to the site, alternative vehicle access to DC Motors is possible via Mallard Street. York Street has no parking and double yellow lines, except for the marked parking bays and would remain so.

Extract of Logistics Plan

The temporary loss of 2 on-street parking spaces on York Street during construction is limited to a single bay with space for two cars off York Street. This area would

become an accessible parking bay and a loading area with double yellow lines retained including to the frontage of the DC Motors site.

The applicant would liaise with the Nursery regarding access during construction.

Construction noise would be mitigated through the implementation of a Construction Environmental Management Plan (CEMP) this is discussed in the section on Noise and Vibration Section below.

The contractor will keep neighbours (which includes the MOT garage and Nursery) well informed before and during the construction phase through various means:

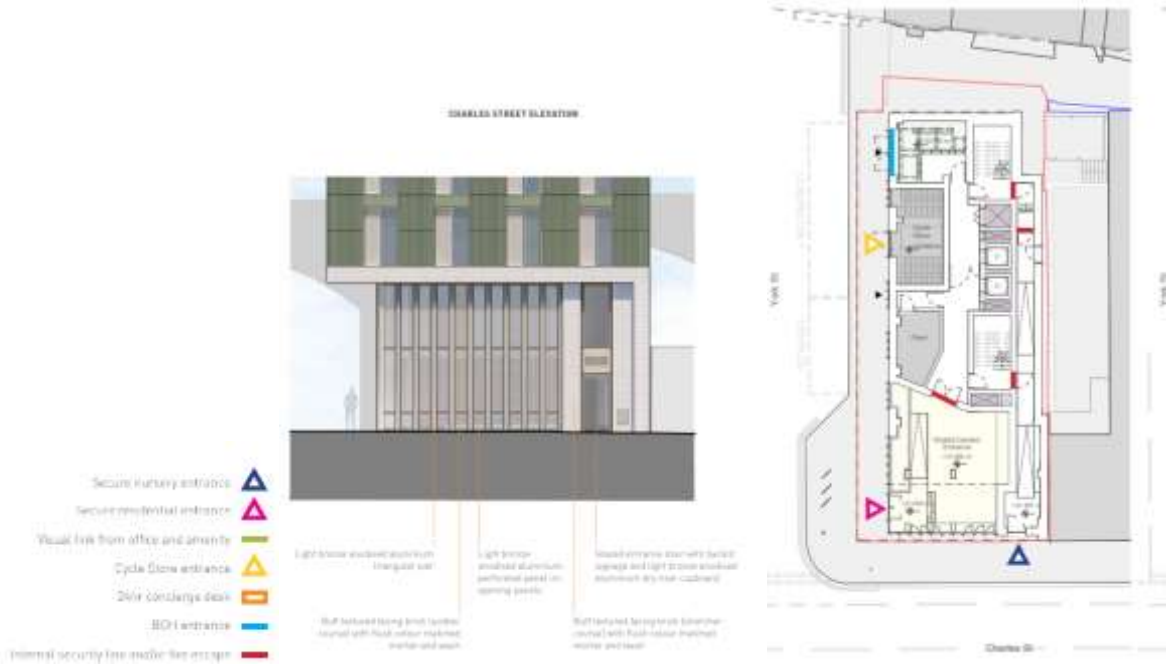
- A member of the contractor team will be designated as the Project Community Liaison Manager responsible as a single-point contact to ensure good neighbour relations.
- A regular neighbours meeting will be established at a frequency agreed with the neighbours to bring them up to speed with project progress and key elements of the work.

The CEMP emphasises that continuity of existing site operations will be at the centre of the delivery of the project. This will include the following: i) Protect and maintain all existing adjacent buildings operations and services; ii) protect and maintain all existing highway and footpath operations and services contained within.

The arrangements to be put in place during construction should ensure that business can continue to operate safely.

<u>Operational Phase Mitigation</u>

The proposal includes a new entrance for the Nursery from Charles Street. This would replace the existing recessed entrance on Charles Street which necessitates the use an unlit passageway with no overlooking from the nursery by staff, visitors and customers. The new entrance would be security controlled at Charles Street. Dedicated signage would be provided above the new entrance. A DDA compliant access ramp would provide access to the nursery’s outdoor area.



Proposed New Access Provided to Nursery

Part of the elevation facing the nursery at ground level would be available for an art installation. A condition would require details of how this would be progressed, but it is expected that the application would liaise with the nursery to ensure that its children are involved in the design and/or installation.

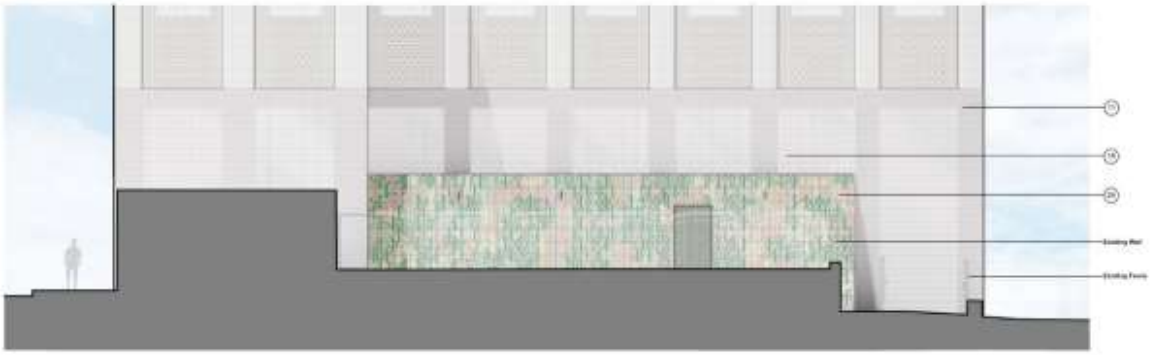


Figure 3 : Extract of plan indicatively showing mural on eastern elevation

Sustainability / Climate Change Mitigation: Building Design and Performance (operational and embodied carbon)

There is an economic, social and environmental imperative to improve the energy efficiency of buildings. Larger buildings should attain high standards of sustainability because of their high profile and impact. The energy strategy sets out how the operational and embodied carbon would contribute to Net Zero Carbon targets.

An Energy and Sustainability Statement assesses physical, social, economic and environmental effects in relation to sustainability objectives. It sets out the measures that could be incorporated across the lifecycle of the scheme to ensure high levels of performance and long-term viability and ensure compliance with planning policy.

Energy use would be minimised through good design in accordance with the Energy Hierarchy, improving the efficiency of the fabric and using passive servicing.

The Core Strategy requires developments to achieve a minimum 15% reduction in CO2 emissions (Part L 2010). The development would achieve an 11% improvement on Part L 2021. If the development was assessed using Part L 2010 there would be an improvement of 54%. A BREEAM pre-assessment demonstrates that the proposal can achieve an ‘Excellent, rating.

The building would be all electric with Air Source Heat Pumps generating some low carbon heating and hot water. The infrastructure would allow the scheme to become zero carbon over time as the grid decarbonises.

The effects of the proposal on climate change would be mitigated wherever possible as directed by Policy EN8 (Adaptation to Climate Change). As a requirement for several of the BREEAM credits, climate change would be considered in the design of the building envelope and services and the proposal would be future proofed where reasonably possible.

A net zero carbon built environment means addressing all construction, operation and demolition impacts to decarbonise the built environment value chain. Embodied carbon is a relatively new indicator and the availability of accurate data on the carbon cost of materials and systems is evolving.

The strategic approach for the proposal is longevity and adaptability and a Whole Life Cycle Analysis (WLCA) assessment has been carried out. The proposal would follow circular economy principles, through the use of recycled materials where possible, with the potential for design for disassembly has reduced the embodied carbon. Adoption of principles set out in BREEAM concerning waste and monitoring of material transport t will further assist the overall impact.

The waste from demolition, excavation and construction would be monitored and reused on site where possible. Construction materials with a higher recycling rate would be prioritised. The applicant aspires to achieve the RIBA 2030 embodied carbon target. This would be addressed during design development when detailed information is available when the materials used could increase the embodied carbon figure.

The following measures would be included to minimise levels of embodied carbon at each design development stage as part of a Reduction Strategy.

- Materials arising from remediation works shall be reused or recycled where possible.
- Excavation would be minimized which limits energy use in site preparation.
- Materials will be sourced locally, with use of Environmental Product Declarations (EPD’s) where possible.

- Use of precast concrete and recycled steel which can be recycled after use.
- Materials used to be recycled where possible. The steel frames used for SFS can be recycled at end of use.
- The terracotta and brick facades can be crushed and reused for new cladding.
- The services strategy is to use VRF for heating/cooling and an ASHP for the DHW which can be recycled at end of use
- The design would reduce material demands and enable materials, products and components to be disassembled and re-used.
- Identify opportunities for managing as much waste as possible on site.
- Provide adequate and easily accessible storage space and collection systems to support recycling and reuse.
- Predict how much waste the proposal is expected to generate and how and where the waste will be managed in accordance with the waste hierarchy.
- Performance monitoring and reporting.

The proposal would make a positive contribution to the City's carbon reduction objectives and is, subject to the ongoing decarbonisation of the grid is capable of becoming Net Zero Carbon in the medium to long term whilst achieving significant CO2 reductions in the short term.

Design and CABE/ English Heritage Guidance on Tall Buildings

One of the main issues to consider is whether a 15 storey building is appropriate in this location and this needs to be assessed against the relevant policies in the NPPF and Core Strategy Policies that relate to Tall Buildings, and the criteria set out in the Guidance on Tall Buildings published by English Heritage and CABE.

Principle of height, massing and design

The Core Strategy requires tall buildings to create a unique, attractive, and distinctive City. They should enhance the character and distinctiveness of the area without adversely affecting valued townscapes or landscapes or intruding into important views.

The Whitworth Street / Princess Street Conservation Area is to the rear. Many buildings have been converted in a manner which has maintained their character, and they have a high architectural and group value which provides a strong sense of place. They dominate the area and enhance its character.

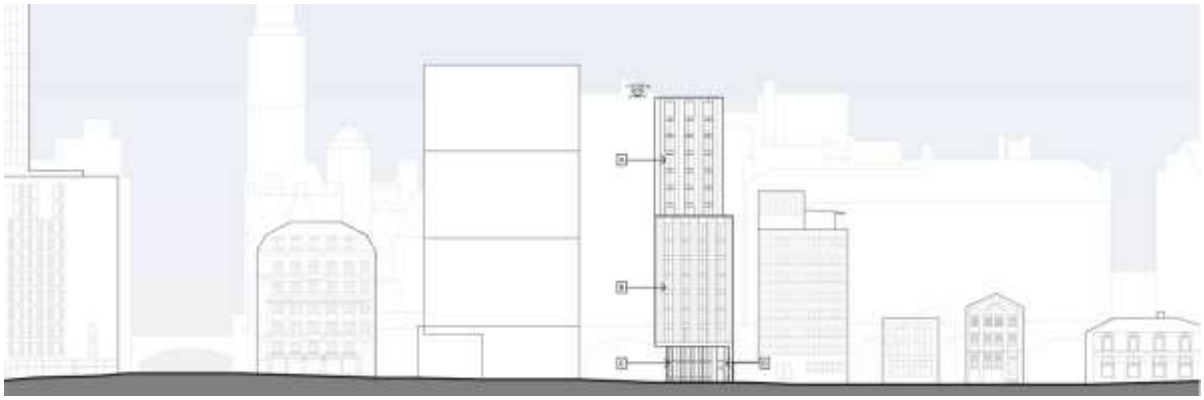
Land along the rail corridor between Piccadilly and Deansgate station has seen significant growth and development. High-rise developments have been constructed

at Circle Square, Deansgate Square, Great Jackson Street, Cambridge Street, Deansgate Locks and New Wakefield Street.

New development during the past decade has changed Charles Street significantly. Building heights on Charles Street do vary from the more domestic scale of the Grade II Listed Lass'o'Gowie at 2 storeys, Bracken House at 9 storeys, the Maldron Hotel at 14 storeys and Circle Square at 12 to 36 storeys.

The site has largely been vacant for over 50 years and requires investment. It creates a poor impression and undermines the quality and character of the area. The proposal would use the site efficiently and would enhance the sense of place. It would respond to the massing, proportions, elevational subdivision, colours, and materials of adjacent buildings in a contemporary manner. It would pick up the regular size and rhythm of window openings and establish a plinth level.

The building would step back from Charles Street and would reflect the stepping back of the Maldron Hotel. The oversailing onto York Street would allow for greater separation between the proposal and Bracken House. It would have a tri-partite subdivision typical of the larger historic buildings. The materials and fenestration would differentiate the ground floor, the middle, and the top. It would create a sense of enclosure and define the street block.



The proposal would respond to the surrounding context. The regular pattern of bays, deep piers and the mix of material textures and patterning would reflect the character of nearby historic mill buildings would provide interest. A development of this scale is appropriate at this site so long as the impacts on the amenity of local residents and neighbours are acceptable.

Architectural Quality

VIEW FROM CHARLES STREET (WEST)

VIEW OF ENTRANCE AT DUSK

The key factors to evaluate is the buildings scale, form, massing, proportion and silhouette, materials and its relationship to other structures. Developments of this scale should be an exceptional and well considered design response. The quality of the detail, including window recesses and interfaces between the different components are key to creating a successful scheme.

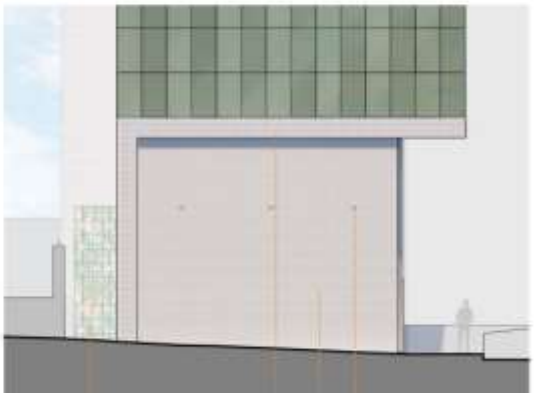
The Core Strategy policy on tall buildings seeks to ensure that they complement the City's existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive City. It identifies sites within and immediately adjacent to the City Centre as being suitable for tall buildings. The application proposes a high-quality building, with a clearly defined street edge.

The area contains different forms of architecture, with some red/brown brick being mixed with contemporary buildings in concrete cladding and terracotta. The materials proposed would be a contemporary interpretation of the character, materials and texture found around the site, and are an appropriate contextual choice would deliver an appropriate level of quality.

York Street elevation

CHARLES STREET ELEVATION

NORTH ELEVATION



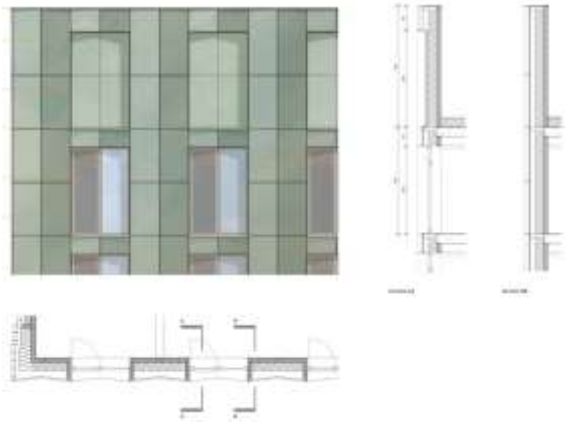
The elevations facing York Street and Bracken House would express function with a grid of light buff glazed brick and brick detailing. The western elevation to York Street would have windows. On the eastern elevation windows would be substituted with brick detailing.

The elevation to Charles Street would include terracotta panels and cladding with detailing and textures and would be divided into three sections. The upper volume would include wide panel vertical pleated tiles. The lower volume would include a finer grain of detailing to be read at human scale and the base would provide visual interest to the street scene. The northern elevation, visible from the Whitworth Street Conservation area, would follow the similar tones and proportions to the upper volume of Charles Street, with flat terracotta panels in vertical pleated effect.

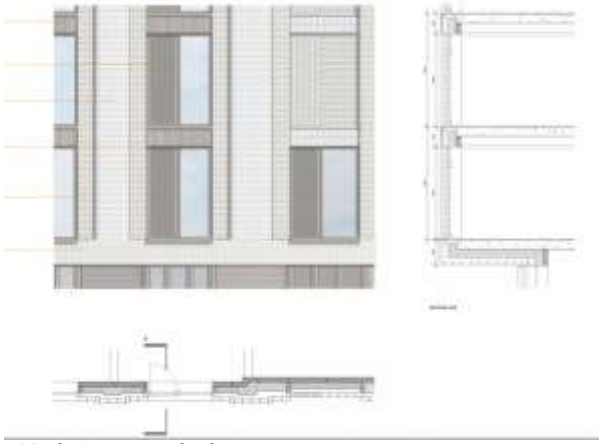
Perforated aluminium panels would wrap around ground floor elevations to York Street and Charles Street. These decorative panels would open during the summer months into amenity spaces and activities. The patterned ventilation panels would deliver a finer level of detailing, akin to that found in the adjacent Victorian and Edwardian buildings. The panels provide texture and shadows in the accommodation and provide access to fresh air thus performing an important role within the ventilation strategy.

The Charles Street and the north elevation would be green glazed terracotta. This would have reflectivity, texture and a non-uniform finish.

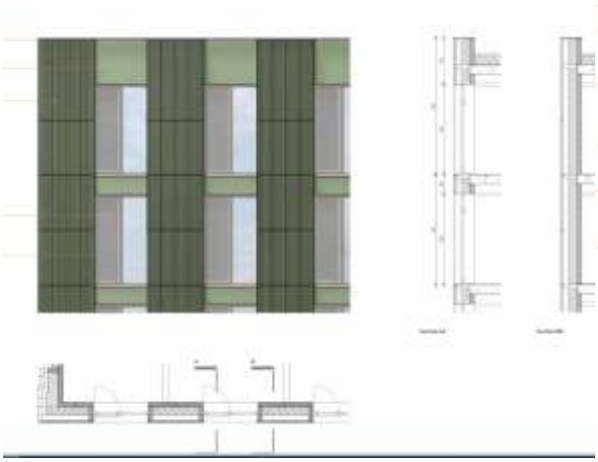
The York Street and the eastern elevation would be a buff-cream wire cut and glazed brick. It would include details such as soldier courses and English bonds with glazed brick headers. Glazed brick would provide reflectivity and bring difference and hierarchy in the brick areas. The window frames, perforated ventilation panels, copings, cills and trims would be a light bronze anodised aluminium. A light bronze colour would complement the buff-cream brickwork. The spandrels would be a triangular profiled glazed terracotta, colour matched with the metalwork.



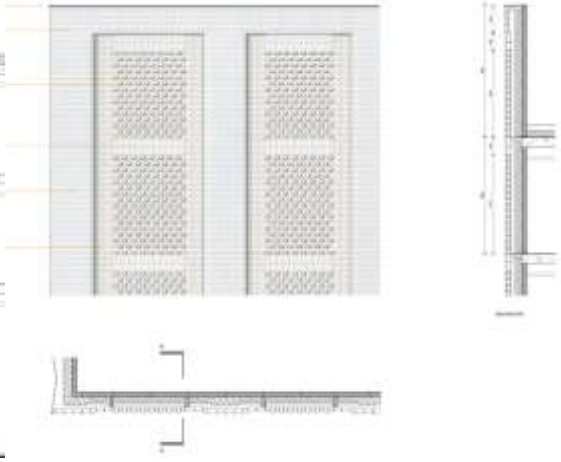
Charles Street Typical Bay Upper



York Street Typical Bay



Charles Street Typical Bay Lower



East Elevation Typical Bay

The primary entrance would be at the corner of York Street and Charles Street, and a new nursery entrance would be provided from Charles Street creating active frontages onto both routes.

A condition requiring samples of materials and details of jointing and fixing details and a strategy for quality control would be attached to any permission granted.

It is considered therefore, that the proposals would result in high quality building that would be appropriate to its context.

Credibility of the Design

Proposals of this nature are expensive to build so it is important to ensure that the design and architectural intent is maintained through the design, procurement and construction process. The applicant intends to retain, own and operate the proposal and recognises the importance of quality and attention to detail. The design team recognises the high-profile nature of the proposal and the range of technical expertise provided indicates that the design is technically credible. The design team is familiar with the issues associated with high quality development in city centre locations, with a track record and capability to deliver a project of the right quality.

Contribution to public space and facilities

The walled garden and perforated screens would provide animation and activity on Charles Street. This would improve safety and passive surveillance and help to revitalise the area. It would enhance connections along Charles Street between First Street, Circle Square and the ID SRF Area.

Relationship to Transport Infrastructure, Cycle Parking Provision and Servicing and Deliveries

All sustainable transport modes including trains, trams and buses are nearby. The site has a Greater Manchester Accessibly Level (GMAL) of 8 which is very high. The public realm improvements would enhance links to sustainable transport. The impact on the transport network would be minimal and a Travel Plan would make occupiers aware of sustainable options.

There is a 240 space car park on York Street and a 1000 MSCP's at Circle Square with 38 accessible spaces. The nearest Car Club bay is on Samuel Ogden Street. An accessible parking space would be provided on York Street. The nearest on-street disabled parking is a 350m away.

There would be 28 internal cycle spaces and 3 cycle stands at the junction of York Street and Charles Street. The closest cycle hire stands are on Princess Street and Oxford Road. Overall cycle parking demand and potential additional demand should be monitored and implemented as part of the Travel Plan.

A loading bay and an accessible parking space would replace two parking spaces on York Street for servicing, refuse collection and drop off. This would be secured through a Traffic Regulation Order. The loading bay would not interfere with access to adjacent properties. Deliveries and taxis would also use the loading bay. A high proportion of takeaway deliveries are via bikes/cargo bikes which can be parked in the existing cycle stands on York Street which avoids using the loading bay.

Residents would be asked to book an arrival slot and confirm their travel arrangements and number of people travelling with them. It has been estimated that c. 40 students would arriving per day on the Saturday and Sunday. As a worst-case scenario, it is assumed all would arrive by car / taxi. 12 slots would be available per hour over a 12-hour period based on two vehicles utilising the proposed loading bay on York Street for 10 minutes. On-site baggage handlers with trolleys would help to

unload belongings and take luggage to the reception area/relevant room. Staff will be on-site 24 hours a day.

Additional staff would ensure move in is effectively managed. This would include traffic wardens, baggage handlers, student ambassadors, front of house assistants, etc. These would support the full-time property resource of General Manager, Team Leader, Guest Experience Managers, Maintenance, Night Concierge, Housekeeping and Maintenance. The additional staff will be resourced to cover the busier times between 8am and 8pm. There would be no arrivals between 23.00 and 08.00

Onsite traffic wardens will ask all car drivers to relocate their vehicle to a Car Park once belongings have been dropped off. Cars will not be left unattended at any time. Staff would assist those arriving alone by car to unload their baggage which would be safely whilst the student parks their car.

Check out would be managed in a similar fashion but is a more gradual over a period of days or even weeks.

Conditions would require details of off-site highways works including the need to secure the TRO and deliver the loading bay / parking space prior to occupation and for pavement reinstatements and finishes. The Head of Highways has no objections on this basis and no concerns about adverse impacts from any traffic generated by the proposal.

Impact on Designated and Non Designated Heritage Assets and Visual Impact Assessment

Design Issues, relationship to context and the effect on the Historic Environment. This considers the design in relation to context and its effect on key views, listed buildings, conservation areas, scheduled Ancient Monuments, Archaeology and open spaces. The potential heritage impacts on their significance and/or their setting include: Asia House (Grade II*), the Former Refuge Assurance Company Offices (Grade II*) India House (including attached wrought iron gateway linked to Lancaster House) (Grade II*), Lancaster House (Grade II*), Lass O' Gowrie Public House (Grade II) Manchester House (Grade II) and the Manchester South Junction and Altrincham Railway Viaduct (Grade II) and the Whitworth Street Conservation Area. The Rochdale Canal is a non designated heritage asset that could be affected.

The scale is larger than some of the nearby tighter and lower rise urban grain but is consistent with the scale development in the wider area.

Impact on Designated and Non-Designated Heritage Assets and Townscape and Visual Impact Assessment

The effect on key views, listed buildings, conservation areas, archaeology and open spaces has been assessed. When seen from radial approaches, the density of the city centre skyline is evident. There are historic and larger, modern buildings nearby, but the proposal should not undermine the setting of heritage assets.

A Heritage Assessment used Historic England's guidance on the Setting of Heritage Assets (Historic Environment Good Practice Advice in Planning Note 3, Second Edition). (December 2017) to assess the impacts on affected Heritage Assets.

A Townscape and Visual Impact Assessment (TVLA) was undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd edition, 2013 (Landscape Institute and Institute for Environmental Management and Assessment) (GLVIA3); Townscape Character Assessment, 2017 (Landscape Institute Technical Information Note 05/2017); and Visual Representation of Development Proposals 2019 (Landscape Institute Technical Information Note 06/2019).

A Zone of Theoretical Visibility (ZTV) was used to understand where the proposal would be visible from. It identified visual receptors and views which could be affected and informed the selection of representative views. Key visual receptors include: Charles Street; Whitworth Street; Hulme Street; and open spaces at Circle Square, arrival at Oxford Road Station and Vimto Garden. Seven views were identified, and an assessment made of the character and quality of each view. Sensitive receptors are residents of Bracken House and pedestrians/ vehicles with views of the site.

The TVLA has included consideration of changes to townscape, changes to urban grain, changes to building heights and changes to site character.

View Locations

Viewpoint 1 from Charles Street at junction with Princess Street, looking west

Existing **Proposed**

The proposal would be noticeable in views on Charles St. In close range views, it would replace a vacant plot surrounded by a hoarding with a building that responds to the character of its setting and the conservation area.

When approaching from the west the southern and western elevations would be partially visible behind the Maldron Hotel. It would follow a stepping down of the built form west towards Bracken House and the Lass O'Gowrie.

The set back at the 9th storey follows the profile of the Maldron Hotel, continuing the scale of built form on the street. In views from the east, it would be seen above the Lass O'Gowrie and Bracken House. This increase in height and massing would change the views noticeably.

The development would step up between Bracken House and the Maldron Hotel. The materials would reinforce the relationship with the existing buildings and create visual interest. The change would result in beneficial effects in this view.

Viewpoint 2.1 - from Whitworth Street adjacent to the railway viaduct looking east

Existing **Proposed**

This illustrates the view from the western approach to the City Centre

View 2 from Whitworth Street through a gap in the built form looking south

Existing **Proposed**

The above illustrates the view from the Whitworth Street Conservation area where the proposal would be visible in limited locations.

The upper storeys of Circle Square and the Maldron Hotel can be seen and there would be glimpsed views of the upper storey and rooftop of the proposal. The effect would be neutral.

From the road there are limited locations where gaps between buildings allow oblique views where the proposal would be visible beyond the viaduct. It would be seen in the context of other buildings and taller features resulting in neutral effects. From closer range there would be clearer views of the northern elevation of the building. The materials on each elevation would relate well to existing buildings and create visual interest. The change would result in beneficial effects.

View 3 from the eastern portion of Hulme Street to the west of the junction with Oxford Road, looking east

Existing **Proposed**

The above illustrates the view from the west on Hulme Street where the proposal would barely be perceived. It would however be partially visible in the middle distance near Oxford Road. It would be viewed behind the Maldron Hotel and step down to Bracken House and the Lass O Gowrie. The set back at the 9th storey follows the profile of Maldron Hotel continuing the scale to the street. The proposal would add visual interest and result in overall beneficial effects.

View 4 from the east side of Circle Square, where there are channelled views.

Existing **Proposed**

The majority of the public space is enclosed by built form and in the most part users would not see the proposal. However, it would be seen by people walking along the northeast boundary. The materials and proportions on Charles Street reinforce the relationship with existing buildings and creates visual interest. The change would result in beneficial effects.

View 5 from the approach and arrival area at Oxford Road station, looking east.

Existing **Proposed**

Illustrates the view from the station. The development would not be visible from the approach road and arrival space at Oxford Road Station.

View 6 from the Vimto Garden, looking west

Existing **Proposed**

The proposal would barely be seen apart from filtered views towards a small portion of the upper storeys and roof top. More of the development would be visible in winter but the change would be marginal. Any glimpsed views would be in the context of existing buildings and surrounding taller features.

Impacts on residents of Bracken House

The view from homes with windows facing on to the site towards York Street would experience a large change and open views of the adjoining roofscape would be replaced with close views of the proposal. The eastern elevation would not have windows to protect privacy at Bracken House and the glazed brick detailing would provide some interest. The effects on the residents would be adverse but this is clearly a development site and impacts should be considered in the context of the recent and ongoing regeneration and development in the area where development has maximised the use of vacant sites. Bracken House was converted to residential through permitted development rights and therefore these impacts could not have been assessed by the LPA (application ref no 105328/P3JPA/2014/C1).

Heritage Impacts

The site context is largely modern and includes recent tall buildings including Circle Square and the Maldron Hotel. It is previously developed land, and its current form creates fragmentation. Views through the site from Charles Street take in a section of the Viaduct and, beyond this, the Kimpton Hotel and India House.

View through the Site towards MSJAR Viaduct and India House from Charles Street

View north-east along Charles Street and towards Lass O' Gowrie Public House from junction with York Street

The site detracts from the experience of the Viaduct, the Kimpton Hotel and India House from within their wider settings, but its open nature does allow views of the rear of these buildings.

The site is 60m from the Lass O' Gowrie and is seen in kinetic on Charles Street and forms part of a varied townscape. The current car park does not contribute to the significance of the Lass O' Gowrie Public House.

There is limited intervisibility between the site and Manchester House, Lancaster House and Asia House and makes no contribution to their significance.

The site does not contribute to the understanding of the historic development or character of the setting of the Whitworth Street Conservation Area. It is a break in Charles Street and is an unattractive car park. Its openness allows views into the Conservation Area but they do not particularly reveal the significance or character and appearance of the Conservation Area. The site is part of the surroundings of the Conservation Area but does not make a specific contribution to its significance.

Views 1, 2.1, 2.2 and 3. illustrate impacts on Heritage Assets. 3 additional Views have also been included within the assessment. Potential impacts are on setting.

Impact on setting of Manchester South Junction and Altrincham Railway Viaduct

The Manchester South Junction and Altrincham Railway Viaduct (MSJARV) is five metres to the north. It can be seen in part from Charles Street, across the site and down York Street. The proposal would reduce these views but many similar glimpsed and dynamic views which are characteristic of its setting would remain. A view of the viaduct would be retained down York Street.

The proposal would be seen with listed buildings from Whitworth Street through gaps between buildings. These views show the urban context of the viaduct and include the 16-storey Maldron Hotel, 9-storey Bracken House and 36-storey Circle Square. The proposal would reinforce the urban context of the viaduct.

The site makes a neutral contribution to the setting and significance of the viaduct. The proposal would partially close a view and would be visible in combination with the viaduct from other locations. However, the setting of the structure is characterised by modern buildings, and the proposal would reinforce the established urban character and sustain the significance of the listed viaduct.

Additional View 1 - Existing

Impact on setting of Former Refuge Assurance Company Offices

The building is at the junction of Oxford Street and Whitworth Street, 60 m to the north-west and separated by the MSJAR Viaduct and River Medlock. The site allows views of the clocktower. The car park does not contribute to the setting, experience, appreciation or significance of the grade II* listed building.

The proposal would permanently obstruct this view, but the rear elevations are of secondary importance and the rear of the building and the clocktower would continue to be visible from the surrounding area. The overall character of the setting of the listed building and therefore its townscape prominence would be sustained.

The proposal would be visible in combination with the listed building in views from Whitworth Street and longer distance views on Whitworth Street West. The proposal would be visible to a limited extent beyond the listed building and form part of the established urban background alongside the Maldron Hotel and Circle Square In long distance views from Whitworth Street West. The extent to which it would be visible would not challenge the prominence of clocktower and it would not distract from the architectural interest of the listed building.

Viewpoint 2.1

The proposal would be a contextual building in the setting of the listed building. It would be read as part of the existing urban context on the south side of the Viaduct which includes modern, tall buildings such as the Maldron Hotel and Circle Square. The proposal would detract from the presence or prominence of the grade II* listed building, which is principally experienced from Oxford Road and its setting would not be unharmed.

<u>Impact on Setting of India House</u>

The site does not contribute to the setting of India House. The proposal would partially obstruct the glimpsed view of the rear elevation of India House from Charles Street which is already partially obstructed by the viaduct and does not reveal its significance to any meaningful extent. The loss of this view would not materially affect the setting and significance of the listed building and the impact will be neutral.

Additional Viewpoint 2. Existing

The proposal would be visible in combination with India House in views from Whitworth Street and from the east surrounding Asia House. The distance from the listed building and the presence of other modern tall buildings means they are unlikely to be compared directly. They are separated by the River Medlock and the Viaduct. The proposal would be a background element and part of the wider urban context that makes a neutral contribution to the setting and significance of India House. The proposal would not undermine the group value that India House derives from these interrelationships. The impact on the setting and significance of India House would be neutral.

Impact on Setting of Lancaster House

The proposal would be visible from Lancaster House. Views from the listed building already include tall, modern buildings, including the Maldron Hotel, Bracken House and Circle Square. The upper storeys of the proposal would be visible beyond the viaduct, between Bracken House and the Maldron Hotel and in front of Circle Sq. The building would be seen as part of the urban context to the south of the viaduct and will not affect the listed building’s relationship with nearby warehouses. The proposal would have a neutral effect on setting and sustain the significance of Lancaster House.

As a result of the visual enclosure provided by Lancaster House and surrounding buildings, the proposal would not affect key views of the listed building from along Whitworth Street and Princess Street.

Impacts on Setting of Asia House

The proposal would be visible in combination with Asia House. The proposal would not affect the relationship between Asia House and nearby warehouses and would not diminish the group value derived from this relationship. The effect would be neutral.

Views of Asia House from Princess Street are contained and the proposal would be visible. The impact on the setting and significance of Asia House would be neutral.

Impact on Setting of Manchester House

The proposal would be visible in combination with Manchester House. The views include tall buildings and the Kimpton Hotel. The upper storeys of the proposal would be visible beyond the viaduct. The proposal would not affect the relationship between Lancaster House and nearby warehouses and would not diminish the group value derived from this relationship. The effect would be neutral.

Given this the proposal would have a neutral effect on setting and sustain the significance of Manchester House.

The proposal would be experienced in dynamic view on Charles St in conjunction with the Lass O' Gowrie. The design relates to scale and massing of Bracken House and the Maldron Hotel. The materials in part relate to the dark green painted terracotta signage of the pub.

Views of the Lass O' Gowrie Public House from along Charles Street include modern buildings at Circle Square.

Viewpoint 1.1

Viewpoint 3.1

The proposal would reinforce the recent developments on Charles Street. It would be seen at times in conjunction with the Lass O'Gowrie but would be perceived as a background or peripheral element and the impact on its setting and significance would be neutral.

<u>Impact on the Whitworth Street Conservation Area</u>

The proposal would be visible in views both into and out of the Conservation Area. Glimpsed views from Charles Street would be partially obstructed but are not particularly significant. A glimpsed view from Charles Street across York Street and into the Conservation Area would be lost, but the more significant uninterrupted view of the rear elevations of the former packing warehouses and Former Refuge Assurance Company Offices from within the Conservation Area boundary would be unaffected. This visual impact is therefore considered to have a neutral effect on the significance of the Conservation Area.

Additional Viewpoint 3

The proposal would be visible in occasional glimpsed views from Whitworth Street and Princess Street. These views include a varied urban townscape which includes modern buildings such as Bracken House, the Maldron Hotel and Circle Square. The proposal is of a similar scale, form and architectural character. It would sustain the character of views from within the Conservation Area and maintain the ability to appreciate the relationship between the former warehouses and their group and townscape value.

The proposal would be visible from other locations in the Conservation Area but would be occasional glimpses. Views out contain modern, tall buildings and the proposal would be experienced as a peripheral or background element that reinforces the urban context of the Conservation Area. Its impact would be neutral and would sustain the significance of the setting of the Conservation Area

Consideration of the merits of the proposals within the National and Local Policy Context relating to Heritage Assets

Based on the above assessment, it is concluded that there would be no harm to the significance of the heritage assets and that the Proposed Development would be a positive addition to their setting. The setting of adjacent listed buildings would remain distinctive and setting of the Whitworth Conservation Area would not be fundamentally compromised.

The Proposed Development will (in respect of these assets) meet the objectives of Paragraphs 203, 205 and 212 of the NPPF and the requirements of s.66 (1) of the

Planning (Listed Buildings and Conservation Areas) Act 1990 can be satisfied if full planning permission is granted by MCC.

Effect on the Local Environment/ Amenity

This examines the impact that the scheme would have on nearby and adjoining occupiers and includes the consideration of issues such as impact on microclimate, daylight, sunlight and overshadowing, air quality, noise and vibration, construction operations and TV reception.

Daylight, Sunlight and Overshadowing

The nature of high density City Centre development means that amenity issues, such as daylight, sunlight and the proximity of buildings to one another have to be dealt with in a manner appropriate to their context.

An assessment of daylight, sunlight and overshadowing has used specialist computer software to measure the amount of daylight and sunlight available to affected windows. The assessment made reference to the BRE Guide to Good Practice Site Layout Planning for Daylight and Sunlight Second Edition BRE Guide (2022). This is not mandatory but is generally accepted as the industry standard and helps local planning authorities consider these impacts. The guidance does not have 'set' targets and is intended to be interpreted flexibly. There is a need to take account of locational circumstances, such as a site being within a town or city centre where higher density development is expected and obstruction of light to buildings can be inevitable.

The daylight at Circle Square Blocks 5 and 6, Bracken House and Circle Square Plot 9 could be affected. Sunlight Impacts have been modelled for sensitive windows i.e. living rooms or living kitchen diners facing within 90 degrees due south and sunlight levels within Bracken House could be affected.

The assessment has scoped out other homes due to the distance and orientation from the site. The BRE Guidelines suggest that homes have the highest requirement for daylight and sunlight and states that the guidelines are intended for use for rooms where natural light is required, including living rooms, kitchens and bedrooms.

Consideration should be given to para 129 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site; as long as the resulting scheme would provide acceptable living standards. The guidance suggests that hotels and student accommodation have a lower sensitivity to changes in daylight.

Where a building is close to a common boundary, a higher degree of obstruction may be unavoidable and is common in urban locations. VSC levels diminish rapidly as building heights increase relative to separation. As such, the adoption of the 'standard target values' should not be the norm in a city centre as this would result in very little development being built. The BRE Guide recognises that in such circumstances, 'alternative' target values should be adopted.

The Sunlight and Daylight Assessment has set out the current site condition VSC levels and how the proposal and cumulative developments would perform against the BRE targets.

Daylight Impacts

The Guidelines provide methodologies for daylight assessment. The 2 tests set out in the Guidelines relevant to this development are VSC (vertical sky component) and NSL (no sky line).

VSC considers how much Daylight can be received at the face of a window by measuring the percentage that is visible from its centre. The less sky that can be seen means less daylight is available. Thus, the lower the VSC, the less well-lit the room would be. In order to achieve the daylight recommendations in the BRE, a window should attain a VSC of at least 27% but reductions or changes of 0.8 times the former value would not be appreciable by an occupant.

The guidance also states that internal daylight distribution is also measured as VSC does not take into account window size. This measurement NSL (or DD) assesses how light is cast into a room by examining the parts of the room where there would be a direct sky view. The NSL test assesses daylight levels within a whole room rather than just that reaching an individual window and more accurately reflects daylight loss. Daylight may be adversely affected if, after the development, the area in a room which can receive direct skylight is reduced to less than 0.8 times its former value. A resident would notice any reduction below this.

To assess whether the daylight amenity within a neighbouring room is likely to be adversely affected by a proposal, the BRE recommends an assessment of undertaken using the results of the above to assess the BRE and NSL targets in combination. This assessment has also been carried out to demonstrate the impacts of the proposal.

It is noted that VSC diminishes rapidly as building heights increase relative to the distance of separation. As such, the adoption of the ‘standard target values’ is not the norm in a city centre and the BRE Guide recognises that different targets may be appropriate. It acknowledges that if a building stands close to a common boundary, a higher degree of obstruction may be unavoidable and is common in urban locations.

The Guidance acknowledges that in a City Centre, or an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

Sunlight Impacts

For Sunlight, the BRE Guide should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care

should be taken not to block too much sunlight. The BRE guide states that sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March; receives less than 0.8 times its former sunlight hours during either period; and, has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours (APSH).

A scheme would be considered to comply with the advice if the base line values and those proposed are within 0.8 times of each other as an occupier would not be able to notice a reduction of this magnitude. The requirements for minimum levels of sunlight are only applicable to living areas.

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A scheme would be considered to comply with the advice if the base line values and those proposed are within 0.8 times of each other as an occupier would not notice a reduction of this magnitude. The requirements for minimum levels of sunlight are only applicable to living areas.

BRE Targets

As set out above the Guidance states that a reduction of VSC to a window of more than 0.8 (20%) times or of NSL by 0.8 times (20%) does not necessarily mean that the room would be left inadequately lit, but there is a greater chance that the reduction in daylight would be more apparent. Under the Guidance, a scheme would comply, if figures achieved are within 0.8 times of baseline figures. Similarly, winter targets of APSH of 4% and an annual APSH of 0.8 times (20%) are considered to be acceptable levels of tolerance.

The BRE compliance targets referred to below are aligned with the above levels of reduction.

Magnitude of Change

Conclusions about magnitude of change are based in the following: Large impacts occur when there is a reduction in excess of 40%, medium between 30 and 40% and small between 20 and 30% above the existing baseline.

Daylight Impacts

With the development in place and the results weighted to make the allowance for the 20% reduction:

Circle Square Blocks 5&6

Blocks 5&6 129/182 (70%) windows would meet the BRE Target. Of the remaining windows there would be a minor impact on 27 (15 %), medium impact on 24 (17%) and a significant impact on 2 (1.4%). 122/140 (87%) of rooms would meet with the BRE Alternative NSL target. Of the remaining rooms there would be a minor impact on 9 (6%), moderate impact on 7 (5%) and major impact on 2 (1.4%).

Looking at the VSC and NSL assessments in combination as per the BRE Guidance any changes in daylight amenity (VSC & NSL) to 84 of the 140 rooms would be fully BRE compliant. The magnitude of VSC and/or NSL change within 31 of the remaining 56 rooms would be small.

8 of the remaining 25 rooms have at least 2 windows. As the baseline position is so low, the proposal could result in noticeable changes in the amount of sky that can be seen from 1 window in each room. Changes to the other windows would be BRE compliant (negligible). As only one windows would be adversely affected, changes in NSL would be BRE compliant (negligible) and between 74% and 88% of the room areas will continue to be able to see the sky. Therefore, the magnitude of change in these 8 rooms would be small.

10 of the remaining 17 rooms are bedrooms, which all have, by virtue of their usage, a lesser requirement for daylight amenity. The proposal would result in the windows to 10 bedrooms experiencing changes in VSC which are medium in magnitude and changes in NSL which are negligible to small. In view of the usage of these 10 rooms, the overall magnitude of change to the daylight amenity within these 10 bedrooms is considered to be small.

The remaining 7 rooms are all combined lounge kitchen dining rooms whose windows will experience VSC changes which are medium and NSL which range from negligible to large in magnitude. The overall magnitude of change to the daylight amenity within these 7 rooms is considered to be medium.

Given the level of sensitivity of Circle Square Blocks 5 & 6 and the isolated number of rooms which will experience changes in daylight amenity the overall magnitude of change to the daylight amenity in this building is considered small resulting in a minor level of long-term adverse daylight effect upon residents in this property.

Bracken House

1/46 (2%) of windows would meet the BRE Target. Of the remaining windows there would be a medium impact on one window (2%), and major impact on 44 (96%) windows. 9/44 (20%) of rooms would meet with the BRE NSL target. Of the remaining rooms there would be a minor impact on 1 (2.3%) and major impact on 34 (77%).

The site's current open nature creates an artificially high baseline' for surrounding buildings, which have high levels of sunlight and daylight. The majority of the combined VSC & NSL changes caused by the proposal would be medium to large.

Overall, the magnitude of change would be high resulting in a moderate level of direct, permanent, long-term adverse daylight effect on residents.

Circle Square Plot 9

87/96 (91%) windows would meet the BRE VSC Alternative Target. Of the remaining windows there would be a minor impact on 7 (7%), medium impact on 2 (2%). 89 (93%) of rooms would meet with the BRE Alternative NSL target. Of the remaining rooms there would be a minor impact on 4 (4%), medium impact on 2 (2%) and a significant impact on 1 (1%).

Looking at the VSC and NSL assessments in combination as per the BRE Guidance, change in 8 of the remaining 13 rooms would be small. The remaining 5 rooms are all studios whose windows experience VSC changes which are negligible to medium in magnitude with the rooms experiencing changes in NSL which range from negligible to large. The overall magnitude of change to the daylight amenity within these 5 rooms is considered to be medium.

Given the level of sensitivity of Circle Square, Plot 9 and in view of the isolated number of rooms which will experience changes in daylight amenity which are medium in magnitude, the overall magnitude of change to the daylight amenity in this building is considered small resulting in a minor direct, permanent, long-term adverse daylight effect upon this property.

Sunlight Impacts

With the development in place and the results weighted to make the allowance for the 20% reduction:

Bracken House

A total of 46 windows serving 44 rooms were assessed for sunlight within this property. The changes in sunlight amenity to all of the 44 rooms are similar in scale to the changes in daylight amenity for the same reasons.

Given the sensitivity of Bracken House the magnitude of change is considered to be large and there would be moderate permanent, long-term adverse daylight effect upon residents in this property.

Overshadowing

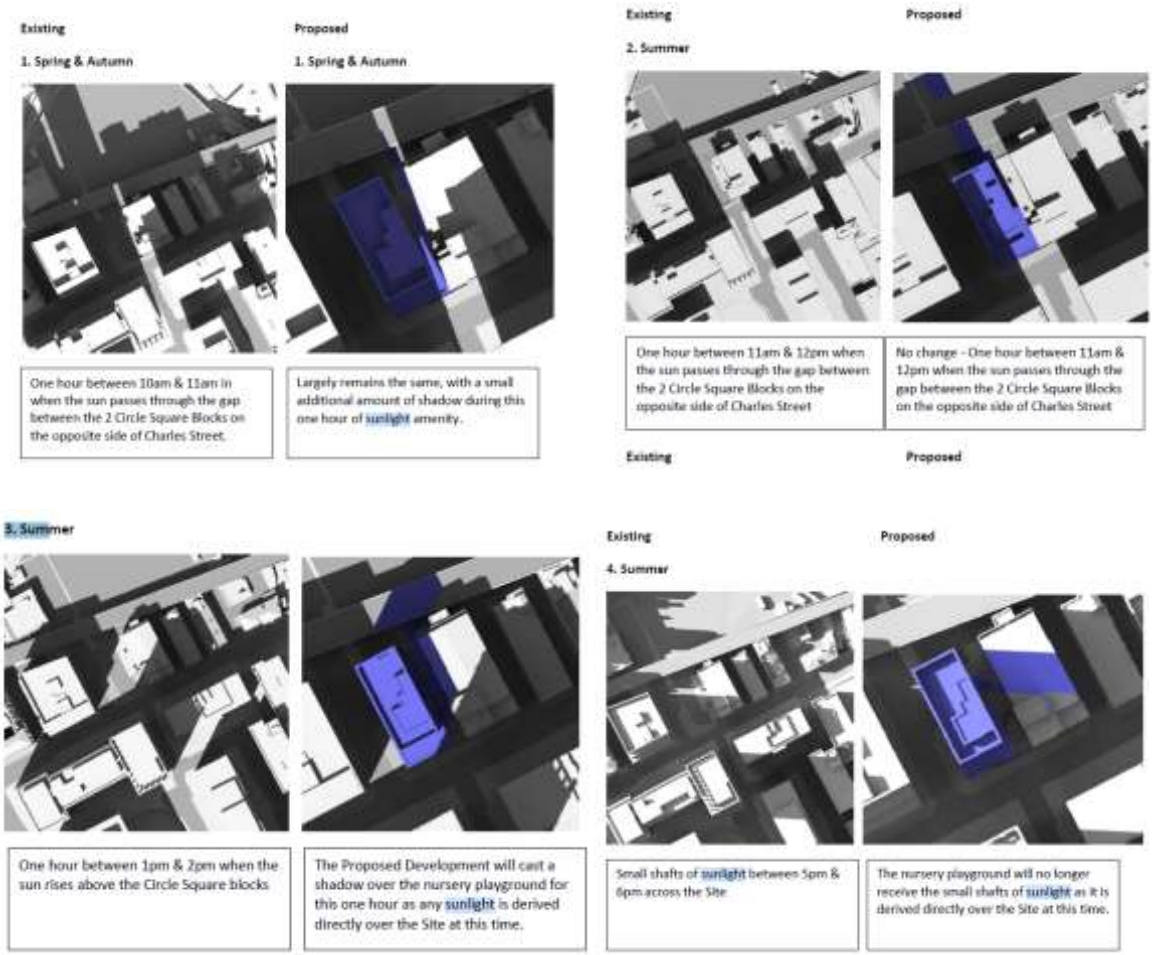
An overshadowing study has been prepared in-line with BRE Guidance. The BRE guide addresses overshadowing to gardens and open spaces only. Open spaces should retain a reasonable amount of sunlight throughout the year and the Guidance recommends that to appear adequately sunlit throughout the year, at least 50% of a

garden or amenity area should receive at least two hours of sunlight on the 21st March.

If as a result of development an existing garden of amenity area does not meet this target and the area which can received 2 hours is not more that 0.8 times of its former area receiving two hours of sunlight, then the loss of sunlight would be not be noticeable.

There will be no change to overshadowing levels to the play area during the winter (when the Nursery's outdoor play area currently receives no sunlight), or during the summer between 11am & 12pm.

The images below show the existing levels of overshadowing, and the impact of the proposed development on these levels (as described above).



During winter the play area gets no sunlight as the sun is too low in the sky.

Sunlight, daylight and Overshadowing Conclusions

Some impact is inevitable if the site is to be redeveloped to a scale appropriate to its city centre location. The following are important considerations:

- Bracken House was converted from offices to residential under permitted development rights;

- Buildings that overlook the site have benefitted from conditions that are relatively unusual in a City Centre context;

- It is generally acknowledged that when buying/renting properties in the heart of a city centre, that there will be less natural daylight and sunlight in homes than could be expected in the suburbs;

- High density development is not unusual in the City Centre;

It is considered that the impacts on Bracken House are acceptable in a city centre context.

Privacy, Overlooking and Safeguarding

There would be no windows facing Bracken House. This would prevent overlooking of windows in Bracken House and safeguarding issues in relation to the Nursery.

Wind

Wind Changes to the wind environment can impact on how comfortable and safe the public realm is. If changes cannot be designed out, they should be minimised by mitigation measures. A Wind Microclimate report focused on the impact on people using the site and surrounding area. This has been modelled using Computational Fluid Dynamics which simulates the effect of wind and is an acceptable industry standard alternative to wind tunnel testing, combined with adjusted meteorological data from Manchester Airport. The assessment used the Lawson Comfort Criteria (which seek to define the reaction of an average pedestrian to the wind). The Lawson Criteria are well-established in the UK for quantifying wind conditions in relation to build developments and, although not a UK ‘standard’, the criteria are recognised by local authorities as a suitable benchmark for wind assessments.

The sensitive receptors were identified as those using the Nursery playground, users of Symphony Park and Nobel Way in Circle Square, nearby external seating areas, building and off site entrances and nearby bus stops. The playground is considered to be highly sensitivity to strong winds. General thoroughfares are of medium sensitivity to pedestrian comfort, as users are not expected to dwell for significant periods in specific regions. Bus stops, building entrances and amenity spaces are of high sensitivity to pedestrian comfort. Under construction consents within 400m radius were included, which is the UK industry standard for capturing local features which might be affected.

The following local consented schemes were included in the cumulative assessment, but not the baseline: Hotspur Press (120635/2018) and Hulme Street (121252/2018). The Baseline used was for the existing building on site, with the existing surrounds (including any planning consented schemes which are under construction at the time of submission).

The assessment concludes that there are no wind safety risks. Ground level wind conditions would be suitable for the intended use (or retain the existing baseline conditions) for all thoroughfares, existing building entrances, proposed entrances, bus stops, spill out seating areas. Conditions around the site will not be impacted by the inclusion of consented cumulative schemes.

Adjacent amenity spaces have been targeted to be suitable for a mixture of sitting and standing in summer. The proposal would slightly reduce wind levels for the Nursery's outdoor play space during the winter, and wind levels would remain the same during the summer. The proposal would create slightly windier conditions on Charles Street in winter and summer but it would remain entirely suitable for walking and standing. Wind speeds on York Street would be reduced.

Air quality

There are homes, businesses, a nursery and its play area and Symphony Park in Circle Square which could be affected by construction traffic and dust. The site is in an Air Quality Management Area (AQMA) where air quality is known to be poor because of surrounding roads. Emissions from the railway line and an adjacent commercial garage could impact on future occupiers. As such, occupiers could experience poor air quality and vehicles travelling to and from the site could increase pollution levels in this sensitive area.

An air quality assessment (AQA) has considered changes to air quality during the construction and operational phases including impact on the nursery and play area. This is supplemented by a Dust Management Plan. The AQU is a qualitative risk assessment based on the Institute of Air Quality Management's (IAQM) 'Guidance on the Assessment of Dust from Demolition and Construction' document, published in 2014 has assessed the potential effects during construction of dust and particulate emissions from site activities and materials movement. Construction activities could result in nuisance and or adverse health effects due to dust deposition, resulting in the soiling of surfaces; visible dust plumes and elevated PM10 concentrations from dust-generating activities on site.

The assessment of the air quality impacts of the completed scheme has focused on the predicted impact of changes in ambient nitrogen dioxide (NO2) and particulate matter with an aerodynamic diameter of less than 10 µm (PM10) and less than 2.5 µm (PM2.5) at key local locations. The magnitude and significance of the changes have been referenced to non-statutory guidance issued by the IAQM and Environmental Protection UK (EPUK).

Both the construction and operational impacts of the development on air quality have been considered. The AQA confirms that mitigation measures are required during construction to minimise dust impacts as without mitigation measures, construction activities could cause nuisance and/or adverse health effects due to dust deposition resulting in the soiling of surfaces; visible dust plumes and elevated PM10 concentrations from dust.

The Dust Management Plan (DMP) and the CEMP set out measures that would reduce dust. The DMP specifically recognises the nursery and play area as sensitive

to construction dust, particularly the outdoor play space. The contractors would implement measures to ensure it is protected from dust, consistent with measures applied in other comparable situations where construction lies close to sensitive uses. Proposed mitigation would include the following:

- Dust monitoring equipment, equipped with warning sirens, would be in place at the corner of the hoarding at the junction of Charles Street and York Street and at the Nursery.

- The area would be monitored throughout construction to ensure any issues arising are identified quickly, and any further necessary mitigation put in place.

- Mitigation would ensure as far as possible that agreed limits are not breached and it would only be in a worse case scenario that this could occur. In this event those activities would cease until revised methodology has been produced which demonstrates dust levels can be achieved and only then would activities recommence

- The Nursery would be fully screened off during construction, involving a full scaffold enclosure with both debris netting and monaflex sheeting, protecting the area from dust migration.

- Fencing, barriers and scaffolding would be kept clean using wet methods. • Materials that that could produce dust would be removed from site as soon as possible. • All vehicles would be well maintained, engines would be switched off when stationary with no idling.

- Equipment for cutting, grinding or sawing would be fitted with or used in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. local exhaust ventilation systems.

- An adequate water supply would be maintained for effective dust/particulate matter suppression/mitigation. Chutes and conveyors would be enclosed and skips covered.

- Drop heights from conveyors, loading shovels, hoppers and other loading would be minimised or handling equipment would be used and fine water sprays would be used on such equipment wherever appropriate.

- Equipment would be readily available to clean any dry spillages and clean up as soon as reasonably practicable using wet cleaning methods.

The full and final details of all dust management measures would be agreed through a condition based on initial background readings at monitoring locations. This baseline measurement would then be used as the level at which the dust monitors will be set within the Nursery’s outdoor play area which will be continually monitored. These on site practices should ensure dust and air quality impacts are not significant including within the play area. Any agreed measures should remain in place for the duration of the construction period.

The ventilation strategy would ensure that heating and cooling can take place without the need for windows to be open, with the exception of rapid ventilation to bedroom windows via casements behind perforated panel.

The impacts on air quality once complete would not be significant. Pollutant concentrations at the façades would be within the relevant health-based air quality objectives. Occupants would be exposed to acceptable air quality and the site is deemed suitable for its proposed future use. There will be no emissions from the development, as it utilises an all-electric building services strategy.

28 cycle spaces are proposed. An Interim Travel Plan includes measures that promote the use of sustainable transport modes. All these measures would contribute to reducing reliance on the private car and limit adverse impacts on air quality. Noise and Vibration The impact of noise from adjacent occupiers on future residents and the adjacent Nursery and play area need to be considered.

Noise and Vibration

The impact of noise from adjacent occupiers on future residents and the adjacent Nursery and play area need to be considered.

A Noise Report concludes that with appropriate acoustic design and mitigation, the internal noise levels on completion would be acceptable. The level of noise and mitigation measures required for any externally mounted plant and ventilation should be a condition.

Access for deliveries and service vehicles would be restricted to daytime hours to mitigate any impact on adjacent residential accommodation.

During the operational phase the proposal would not produce noise levels or vibration that would be significant.

Disruption could arise during construction. During construction impacts of noise and vibration can be attenuated to a level which is considered to accord with appropriate guidance with only negligible impacts predicted to arise, with the exception of above ground works which are predicted to be minor. The mitigation measures proposed in terms of noise generations would include:

- All vehicles and mechanical plant would have effective exhaust silencers.
- Lorry engines will be switched off when not in use.
- All machines in intermittent use will be shut down in the intervening periods between works or throttled down to a minimum.
- Items of plant shall be maintained in good workmanlike condition so that extraneous noises from mechanical vibration, creaking and squeaking are reduced to a minimum.

- Occupiers affected by noise or vibration would be notified of the nature of the works, a contact telephone number and address to which any enquiries should be directed.

- Equipment and materials would be delivered, and waste removed during the day/evening time, where practical (shoulder hours of 07.00 to 08.00 and/or 18.00 to 19.00).

- Prefabricated components will be used, where practicable, to avoid onsite fabrication of components.

- Screens surrounding the concrete slabs and proprietary formwork wrapping the stair and lift core to minimise noise break out from concreting activities.

- Acoustic screens would shield metal pipe cutting or concrete cutting on site.

- Attitude of operatives to the making of noise to be addressed, to have an understanding that work activities have an effect on those around not just operatives but residents and the public. This will be achieved though toolbox talks and daily activity briefings.

- All contractors/sub-contractors will demonstrate and undertake best working practices to avoid exceeding noise or vibration limits which have been agreed with Manchester City Council control limits.

- Care will be taken when loading or unloading vehicles, dismantling scaffolding or moving materials etc. to reduce impact noise.

- Noisy plant or equipment will be sited as far away as possible from noise sensitive buildings. Wherever practicable, the use of barriers in the form of acoustic barriers or enclosures will be employed.

- Screening from existing features will be maximised or the use of full or partial enclosures will be employed for fixed plant. Fixed or semi-static plant will be located and orientated away from noise sensitive receptors where feasible to do so.

The submitted CEMP also includes monitoring measures to be undertaken, particularly during the noisiest construction activities. The results of the monitoring will be analysed and, where required, further measures will be taken to reduce noise activities to within the agreed noise limits. The noise limits will be set based on the appropriate guidance.

Existing internal noise levels in the Nursery are not known, and therefore an assessment of construction impacts on internal noise levels cannot be confirmed at this stage. A planning condition would require internal noise monitoring to be completed and internal noise levels to be agreed during construction prior to construction commencing.

The applicant and their contractors would work and engage with the local authority and local communities to seek to minimise disruption. A CEMP, as submitted with the application, will be followed to ensure that suitable measures are put in place as part of the construction phase, meaning that noise and vibration levels remain within acceptable limits. A Construction Management Plan should be a condition and would provide details of mitigation methods.

Following mitigation construction noise is not likely to be significant. Acceptable internal noise levels can be achieved with relatively standard thermal glazing and ventilation.

TV and Radio reception and Broadband

A Baseline TV and Radio Impact Assessment has been prepared based on technical modelling in accordance with published guidance to determine the potential effects on the local reception of television and radio broadcast services.

The proposal is not expected to cause any interference to the reception of digital terrestrial television (DTT) services ('Freeview').

The development may cause very minor interference to digital satellite terrestrial reception (such as Freesat and Sky) in a limited localised area however a range of measures can successfully mitigate this if identified to be necessary following completion of the development. The use of tower cranes could also cause signal disruption in similar areas.

Whilst the possibility of digital satellite television interference exists, the overall risk can be considered to be very low due to the nature of land use in the theoretical signal shadow zone and the lack of standard sensitive receptors in the study area.

The proposal is unlikely to adversely impact the reception of VHF(FM) radio broadcasts due to the existing good coverage in the survey area and the technology used to encode and decode radio signals.

Mitigation for impacts from tower cranes could be mitigated by repositioning crane jibs or arms, this could be controlled by a condition.

Post-construction any impact on reception should be investigate. If there are any post construction impact a series of mitigation measures have been identified which could be controlled by a condition.

Existing broadband infrastructure and good connectivity is already available in the area.

Conclusions in relation to CABE and English Heritage Guidance and Impacts on the Local Environment.

On balance, it is considered that the applicant has demonstrated that the proposal would meet the requirements of the CABE and EH guidance as well as the policy on

Tall Buildings within the Core Strategy and as such the proposal would provide a building of a quality acceptable.

Crime and Disorder - The increased footfall, additional residents and improved lighting would improve security and surveillance. Greater Manchester Police have provided a crime impact assessment and the scheme should achieve Secured by Design accreditation. A condition is recommended.

Archaeological issues – The archaeological interest in the site is negligible and no further investigation is warranted and archaeological matters do not need to be considered further.

Biodiversity and Wildlife Issues/ Contribution to Blue and Green Infrastructure (BGIS) / Climate change adaptation and mitigation from Green Infrastructure –

No designated sites lie within 1 km of the site. However, the site lies within the Impact Risk Zones of Rochdale Canal Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), which lies approximately 5.9 km north-west. The majority of the site has little potential for roosting bats due to a lack of suitable structures or trees. It has no suitability for common bird species due to a lack of suitable foraging or nesting habitat. No invasive species were identified at the site.

There is no requirement for the provision of Biodiversity Net Gain Statement as the application was submitted prior to the legislation coming into effect and it would in any event be exempt given its size and as it is all hardstanding.

Bat and bird roost boxes would be secured via a condition and it may be possible to plant a tree on York Street subject to further investigations. There would be a blue roof at level 09 and green sedum roofs at level 9 and on the roof which would increase opportunities for habitat expansion leading to greater ecological value.

Waste and Recycling - A waste management strategy details how waste would be managed. It considers the potential refuse and recyclable waste volumes, including potential organic waste in accordance with the Waste Storage and Collection Guidance for New Developments (GD04), Version 6.00.

The ground floor refuse store would be accessed from York Street. Students would take separate waste in their studios and bring to the waste store. It is expected that waste would be collected via a private regime. The management staff would move the bins out on collection days to the dedicated area before moving them back following collection.

Environmental Health consider the waste management arrangements to be acceptable subject to it being managed by a Commercial Waste Operator and this arrangement would be secured via a S106 agreement.

Flood Risk and Sustainable Urban Drainage Strategy (Suds) – The site is in Flood Zone 3 with a high risk of flooding from the River Medlock and an increase in surface water run off following climate change. The site is in the Core Critical Drainage Area in the Council Strategic Flood Risk

Sites are not precluded from development purely based on risk where that risk can be appropriately managed. Therefore, the City Council do not require a sequential test as set out in the NPPF, but rather, require that at any development classed as 'vulnerable' is situated in the least vulnerable areas.

More vulnerable development is located at the required minimum levels above the 1 in 100 year plus climate change event flood level and therefore the exception test is not required.

The NPPF guidance requires that the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location. Development must be flood resilient and resistant, including safe access and escape routes, residual risk can be safely managed, including by emergency planning and, sustainable drainage systems must be a priority. Space should be created for flooding by restoring functional floodplain and flood flow pathways and by identifying, allocating and safeguarding open space for flood storage; and flood risk should not be increased elsewhere.

Food risk mitigation has been included and information obtained from the Environment Agency has informed the layout and level of the proposal. Mitigation includes flood compensation including the location of less vulnerable uses at ground floor level.

Further mitigation would comprise flood water displacement and compensatory volume with a void under the ground floor slab and cladding around the building envelope has flood vents to allow flood waters to pass through the under croft unimpeded.

The soffit of the ground floor slab would be above the 1 in 100 year flood level. The ground floor would allow flood waters to enter via flood vents, however a small area of approximately 10m x 8m for the lift shafts and M&E would be flood proofed. The ground floor would be used for less vulnerable uses.

The surface water drainage strategy has followed the hierarchy of drainage solutions. Sustainable Drainage Systems (Suds) would be implemented where possible to enable discharge, volume and quality control of surface water runoff and a reduction of flood risk on site.

The drainage strategy is to install surface water attenuation. Flows would be restricted to 50% of the existing discharge rate i.e., 2.5l/s for all return periods up to and including the 1 in 100 year + 50% climate change event. Flows in excess of this will be attenuated in a blue roof at level 09, full details to be finalised during the detailed design phase.

The initial SUDS assessment demonstrates that surface water run-off can be drained effectively in accordance with policy principles.

The foul and surface water drainage would be kept separate on the site prior to discharge. A separate foul drainage system would connect directly into the public sewer system on York Street.

The Flood Risk Management Team and the Environment Agency have raised no objection on the basis that flood mitigation measures are put in place and final details of a drainage scheme, remediation strategy are agreed.

In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that these flood risk mitigation measures and a drainage plan forms part of the conditions.

Aerodrome safeguarding

There are no safeguarding issues associated with the site.

Contaminated Land Issues - A Phase I Desk Study has been prepared based on desktop / published sources, a site walkover and preliminary sampling and analysis.

Whilst the site is vacant a number of contaminative historical industrial operations are known to have taken place on and adjacent to the site.

Further excavations are necessary to fully assess the site. Site mitigation measures may be required but with these in place, the site would present a low risk to people in the future. A condition would require a full site investigation and remediation measures to be submitted and agreed.

No bomb damage is recorded for the site and given the level of building and infrastructure coverage (100%) at the time it is considered highly unlikely that any unexploded ordnance fell on site unnoticed. In addition, the risks are further reduced by the wholesale clearance of the site and surrounding areas in the late 1960s and establishment of newbuilds some of which have since been demolished. For the above reasons the probability of a UXO encounter has been reduced to Low to Very Low.

Accessibility/ Inclusive Access– The design has sought to avoid discrimination regardless of disability, age or gender by, wherever possible. The proposal would be fully accessible. There is level access into the building entrance lobby off Charles Street. All floors would be accessible by lift. There would be a disabled parking space provided as part of the proposals and there is a further space 350m from the site. There are 38 disabled parking spaces in the Circle Square MSCP.

6 student rooms (5%) have been designed as accessible rooms 2 would be fitted out on completion with the remaining 4 suitable for adaptation on demand. The layout and fitout of these rooms will be designed to comply with the relevant guidance including Approved Document M. All accessible rooms are located along wheelchair accessible routes from the vertical circulation cores, with 1300mm wide in communal corridors.

Fire safety - The HSE has not raised any concerns but has made a number of comments. Government advice is very clear that the review of fire safety at gateway one through the planning process should not duplicate matters that should be considered through building control. The issues raised in this instance are matters that should be addressed through building control and are not land use planning issues. The applicant has responded to these comments and the issues are being considered early in the design process as a result of the consultation at Gateway one. Fire Safety measures in relation to site layout, water supplies for firefighting purposes and access for fire appliances is addressed in the Fire Safety Report and subsequent supplementary information will be a condition.

On this basis it is considered that that there are no outstanding concerns which relate to the remit of planning as set out in the Fire safety and high-rise residential buildings guidance August 2021.

Local Labour – A condition would require the Council's Work and Skills team to agree the detailed form of the Local Labour Agreement.

Construction Management – Measures would be put in place to minimise the impact on local residents such as dust suppression, minimising piling and use of screenings to cover materials. Plant would also be turned off when not needed and no waste or material would be burned on site. Provided appropriate management measures are put in place the impacts of construction management on surrounding residents and the highway network can be mitigated to be minimal.

Response to Objectors Comments

The majority of the points raised by objectors are covered above however the following is also noted:

- Independent secure access to internal and external play space **is** an OFTSED / Early Years Foundation Stage (EYFS) Guidance requirement but independent access to the Nursery is not .

- The provision of a safe outdoor play space is not mandatory requirement. If external playspace is not available, outdoor activities must be planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions). Providers must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments).

- The provision of an alternative play area on Euro Car Park during construction works would not need to be signed off by Ofsted. The provider would need robust risk assessments and procedures to show how they keep children safe (for insurance and Ofsted) and how they can ensure children can play outside daily and safely.

- The applicants have offered to investigate the provision of a ramp from Charles Street during construction. They would also look to reinstate the new ramped access point as early as it would be safe to do so.

- Through direct discussions with the Nursery the following measures have been offered which could be incorporated into the CEMP if agreed with the Nursery:

  • noisy and disturbing survey/work practices and drilling works would cease during children's sleep time at the nursery (between 12 and 2.30pm).

  • temporarily move the outdoor play area if this is a viable solution for the Nursery (this offer has currently been declined by the Nursery).

- This a brownfield development site and any development of this site could cause the same or similar impacts to neighbours during construction, including visibility of the garage.

- The Wind Impact Assessment shows that the proposal would reduce wind speeds on York Street and wind speeds experienced by the staff and customers of the MOT Garage would be calmer.

- Daylight and Sunlight Assessment for impacts on commercial properties is not a requirement of the BRE Guidance.

- Rights of Light are a legal and not a planning issue.

- Notification letters about the application were sent to 1960 properties.

- Pre-application engagement with stakeholders including local residents and businesses by applicants is encouraged by the City Councils Council's Statement of Community Involvement (2018). However, this not a Statutory Requirement. Where they have carried out consultation, we cannot be definitive about the format.

- There is no formal drop off point outside of the Nursery for parents and this is subject to any local parking / unloading restrictions. There would be a loading bay provided as part of the development which could be used for nursery drop offs.

- A condition will be added to any consent to require that the site hoardings will display adverts and directions to the adjacent MOT Garage and Nursery.

- The Head of Environmental Protection has confirmed that with management in place to mitigate impacts of air quality and dust during construction the existing external play area could be used safely. The mitigation would be secured via planning conditions.

- The layby is designed amongst other things for student move in and out. Outside these periods and provided deliveries are not taking place it would be available to the Nursery users. Currently the nursery does not have dedicated space. A clause can be added to condition 14 (Student Move in / Move Out

Strategy) which requires liaison with adjacent residents and businesses to ensure that they are aware of likely periods for these activities and a management plan to minimise disruption to them.

- The proposal was advertised in the local press and site notices were displayed. 1960 properties were notified.

CONCLUSION

The proposal conforms to the development plan taken as a whole as directed by s38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal would develop an underused poor quality brownfield site. The high quality architecture and materials would make a positive contribution to the street scene and it would achieve a high level of sustainability and reduce CO2 emissions.

The provision of PBSA meets policy H12 requirements and would contribute to the supply of student accommodation close to the universities.

Careful consideration has been given to the impacts on local businesses and any mitigation that needs to be in place to facilitate business continuity.

Flood risk would be mitigated. There would be no unduly harmful impacts from noise, traffic generation, air quality, water management, contamination, or loss of daylight, sunlight and privacy. Where harm does arise, including impacts during construction on the Nursery and its play area and on the MOT garage, it can be mitigated or is of a level that is acceptable in a city centre location and would not amount to a reason to refuse this planning application.

The proposal would be fully accessible. The waste can be managed and recycled in line with the waste hierarchy. Construction impacts can be mitigated to minimise the effect on local residents and businesses. The mitigation measures and monitoring measures proposed should reduce noise levels from construction to acceptable levels in accordance with applicable guidance, should ensure that the nursery can continue to undertake their daily operations including operation of the play area. Additionally, discussions are continuing with the Nursery to offer additional mitigation measures (going beyond those required to make the development acceptable).

There would be no harm to the setting of heritage assets and there would be beneficial impacts on the settings of adjacent listed buildings and the Whitworth Street Conservation Area. It meets with the requirements of S16 of the NPPF and has had the special regard to preservation and enhancing of heritage assets required by s66 and 72 of the Listed Buildings Act.

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 of the application is proportionate to the wider benefits of 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 a S106 to secure affordable student housing and commercial waste disposal

Article 35 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application.

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

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

(a) Dwgs 10489-SHP-ZZ-A-B5D8-G100-XP-00-002 P01 Existing Site Plan, 10489-SHP-ZZ-A-B5D8-G100-XP-00-001 P01 Site Location Plan all stamped as received on 14-12-23;

(b) Dwg 10489-SHP-ZZ-A-B5D8-JC20-XP-XX-001 P01- Demolition Plan all stamped as received on 14-12-23;

(c) Dwgs 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-TY-001 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-TY-002 P02, 10489-SHP-ZZ-A-B5D8-G200-PL-RF-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-RF-002 P02 all stamped as received on 14-12-23;

(d) Dwgs 10489-SHP-ZZ-A-B5D8-G200-EL-EW-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-ES-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-EN-001 P01, 10489-SHP-ZZ-A-B5D8-G200-EL-EW-001 P02, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-005 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-004 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-008 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-003 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-006 P01, 1010489-SHP-ZZ-A-B5D8-G251-DE-XX-007 P01489-SHP-ZZ-A-B5D8-G251-DE-XX-001 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-002 P01, 10489-SHP-ZZ-A-B5D8-G251-DE-XX-009 P02, 10489-SHP-ZZ-A-B5D8-G200-SE-BB-001 P01 and 10489-SHP-ZZ-A-B5D8-G200-SE-AA-001 P01 all stamped as received on 14-12-23;

(e) 10489-SHP-ZZ-A-B5D8-F900-SC-XX-001 P01 -PLANNING ACCOMMODATION SCHEDULE by Simpsonhaugh stamped as received on 14-12-23

(f) Charles Street Student Accommodation Embodied Carbon and Circular Economy Statement Version: V2.0 Dated: 07/12/2023 by Caldwell stamped as received on 14-12-23

(g) Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment, Phase II Contaminated Land Risk Assessment Charles Street, Manchester and Ground Gas Risk Assessment, Charles Street, Manchester all by Goeassit Ltd.

(h) Charles Street Logistics Strategy by Domis, Construction Noise and Vibration Assessment 7 December 2023 by Hann Tucker Associates, Charles Street PBSA Development - Manchester Construction Environmental Management Plan 28th February 2024 Revision: 4 by Domis and Dust Management Plan Dated 1st March 2024 Revision 2;

(i) Flood Risk Assessment and Drainage Strategy 1983-CS-DP2-A180-RP-XX-9041 Rev P05, Flood Risk Assessment Addendum Report. 1983-CS-DP2-A180-RP-XX-9043, Revision P03 - Flood displacement and compensatory storage. Project No: 1984.
Prepared by DP Squared Ltd. Dated 13th February 2024

(j) Outline Student Management Plan by true Manchester

(k) Environmental Noise Survey and Noise Impact Assessment Report 31020/NIA1 12 December 2023 by Hann Tucker and Approved Document O report, Overheating

risk in residential buildings, for Charles Street PBSA Manchester by IES : 01-12-2023 09:

(l) Local Labour Construction: Proposal and Reporting Template stamped as received on 08-01-24;

(n) Charles Street Energy and Sustainability Statement Version: V2.0, Dated: 07/12/2023 by the Caldwell Group and BREEAM Pre-Assessment Report by bpp Energy stamped as received on 14-12-23;

(o) Charles Street Interim Travel Plan by Curtins Revision: P03 Dated: 12 December 2023;

(p) Charles Street, Television and Radio Reception Impact Assessment by GTech stamped as received on 14-12-23 ;

(q)Transport Statement by Curtins Revision: P03, dated: 12 December 2023

(r)Crime Impact Statement Version A 06 12 23 stamped as received on 14-12-23;

(s) Air quality mitigation shall be implemented in accordance with Environmental Statement Volume 2 Appendix 5.1 Construction Dust Assessment and Dust Management Plan dated 1st March 2024 Revision 2.

(t) Section 4 of the Design and Access Statement Prepared by Simpsonhaugh DECEMBER 2023 stamped as received on 14-12-23;

(t) Ventilation Design Strategy: Charles St Student Accommodation Rev C 04-12-2023 by Cauldwell stamped as received on 14-12-23

(u) WIND MICROCLIMATE ASSESSMENT REPORT Charles Street, Manchester by GIA stamped as received on 14-12-23;

(v) Preliminary Ecological Appraisal Report, Charles Street, Manchester, Reference:81-566-R1-2 dated December 2023 by e3p stamped as received on 14-12-23;

(w) Socio-economic Regeneration Impact Statement December 2023 (Revised February 2024)

(x) Train Induced Vibration Assessment, Report 31020/VAR1 5 December 2023 by Hann Tucker stamped as received on 14-12-23;

(y) Townscape and Visual Impact Appraisal Charles Street, Manchester by Turley stamped as received on 14-12-23;

(z)Heritage Statement Manchester by Turley stamped as received on 14-12-23;

(aa) Fire Statement - Charles Street by OFR stamped as received on 14-12-23;

(bb) Archaeological Desk Based Assessment by Oxford Archaeology stamped as received on 14-12-23;

(cc) Broadband Connectivity Assessment by Gtech stamped as received on 14-12-23;

(dd) Student Move in / Move Out Strategy (prepared by Curtins),

(ee) ES Volume 1 Main Text:

1. Introduction 2. EIA Methodology and Consideration of Alternatives 3. Site Context 4. Development Specification; 5. Air Quality Screening Evaluation;7. Daylight, Sunlight and Overshadowing; Daylight, Sunlight and Overshadowing, 6. Human Health; 7. Assessment of 1 Cumulative Effects

(ff) ES Volume 2 List of Appendices

(gg) ES Volume 3 -Non Technical Summary

all stamped as received on 14-12-23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy SP1, CC3, H1, H8, H12, CC5, CC6, CC7, CC9, CC10, T1, T2, EN1, EN2, EN3, EN6, EN8, EN9, EN11, EN14, EN15, EN16, EN17, EN18, EN19 and DM1 saved Unitary Development Plan polices DC18.1, DC19.1, DC20 and DC26.1.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of above ground development the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

*hand sized samples and specifications of all materials to be used on all external elevations;
*drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme: and
*a programme for the production of the full sized sample panels and strategy for quality control management; and

The panels to be produced shall include jointing and fixing details between all component materials and any component panels , details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames

and

(b) Prior to above ground development submission of a Construction Environmental Management Plan (CEMP)- Circular Economy Statement (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and

how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle in line with the measures set out within the Charles Street Student Accommodation
Embodied Carbon and Circular Economy Statement Version: V2.0 Dated: 07/12/2023 by Caldwell stamped as received on 14-12-23

(c) The sample panels and quality control management strategy shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme and dwgs as agreed above.

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.

4) (a) The development shall be implemented in accordance with the Phase 1 Desk Study and Preliminary Contaminated
Land Risk AssessmentPhase II Contaminated Land Risk Assessment Charles Street, Manchester and Ground Gas Risk Assessment, Charles Street, Manchester all by Goeassit Ltd.

b) 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 scheme.

(c) 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.

5) Notwithstanding the Charles Street Logistics Strategy by Domis, Construction Noise and Vibration Assessment 7 December 2023 by Hann Tucker Associates, Charles Street PBSA Development - Manchester Construction Environmental Management Plan 28th February 2024 Revision 4 by Domis and Dust Management Plan dated 1st March 2024 Revision 2 by Domis

no development shall take place until a detailed construction management plan or construction method statement and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority

* 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;
* Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
* Parking of construction vehicles and staff; and
* Sheeting over of construction vehicles.
* The response to noise exceedances and final details of the construction acoustic screens (and dust netting)
* Details on the completion of monitoring to establish existing background dust levels, and the dust limit level to be maintained through the construction period.
* Details on the implementation of the dust monitoring alarms, and the approach to notifications and responses to the alarms.
* Dust monitoring data will be made available to MCC on request

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan and dust management plan

For the avoidance of the doubt the demolition of the buildings would not constitute commencement of development.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) Prior to commencement of development, an assessment of the internal noise monitoring of the Paintpots Nursery will be completed. An internal noise limit during construction will be agreed with the City Council as Local Planning Authority. The assessment will also include any additional mitigation measures that may be required to be implemented to achieve the agreed internal noise levels.

Reason: To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012)

7) Prior to commencement of development a method statement and risk assessment in relation to the safe and ongoing operation of adjacent railway infrastructure during construction and operation, must be submitted to and approved in writing by the City Council as local planning authority

Reason : to ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs

or integrity of the railway pursuant to policies SP1 and DM1 of the Manchester Core Strategy (July 2012).
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8) Prior to the commencement of development a programme for submission of final details of the following shall be submitted and approved in writing by the City Council as Local Planning Authority. The programme shall include an implementation timeframe and details of when the following details will be submitted:

(a) Details of measures to create potential opportunities to enhance and create new biodiversity within the development to include consideration of bat boxes and bricks, bird boxes and appropriate planting; and
(b) Details of the blue roof at level 09 and green sedum roofs at level 9 and on the roof;

relevant details shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme submitted and approved above.

All of the above shall be fully implemented prior to occupation of 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 a satisfactory development delivered in accordance with the above plans and in the interest of pedestrian and highway safety pursuant to Section 170 of the NPPF 2019, 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 R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

9) Prior to occupation of the development an investigation of opportunities to plant street trees within the pavements on Charles Street and York Street including details of overall numbers, size, species and planting specification fully evidencing any constraints to planting and details of on going maintenance shall be submitted to and approved in writing by the City Council as local planning authority in accordance with the planting scheme as agreed above.

The approved scheme shall be implemented not later than 12 months from the date the proposed building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place,

Reason - pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1

10) Before any use of part of the amenity areas as shown in dwgs 0489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02 as a gym commences a scheme for acoustically insulating the space to ensure that there is no unacceptable level of noise transfer from these areas to the PBSA above or any unacceptable noise break out shall be submitted to and approved in writing by the City Council as local planning authority.

Noise from gym activities such as impact machines and free weights areas will need to be included within the assessment and details of any acoustic insulation / acoustic floor build up recommendation for these areas.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

The approved noise insulation scheme shall be completed before any use of an area a a gym commences. The approved details shall be implemented and remain in place for as long as the unit is in use

Prior to the use commencing a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future building occupiers from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

11) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'Excellent' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, within six months of the buildings hereby approved being first occupied.

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.

12) Notwithstanding the details as set out within condition 2 (i) Flood Risk Assessment and Drainage Strategy 1983-CS-DP2-A180-RP-XX-9041 Rev P05, Flood Risk Assessment Addendum Report. 1983-CS-DP2-A180-RP-XX-9043, Revision P03 - Flood displacement and compensatory storage. Project No: 1984. Prepared by DP Squared Ltd. Dated 13th February 2024

No development shall take place until surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards have been submitted to and approved in writing by the Local Planning Authority.

In order to avoid/discharge the above drainage condition the following additional information has to be provided:

o For proposed flows <5l/s, a blockage risk assessment is required to demonstrate how blockage risk will be managed.

o Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and the new connection point will suffice.

o A finalised drainage layout showing all components, outfalls, levels, easements, connectivity and site boundary. This layout must be supported by evidence of feasibility including survey to confirm suitable outfall, clash checks and evidence of private or adoptable network.

o Detail of requirements due to proximity to railway line including any easements.

o Confirmation the building will be designed to accommodate blue roof loading.

o Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;

o Hydraulic calculation of the proposed drainage system;

o Construction details of flow control and SuDS element

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).

13) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall
include:

o Verification report providing photographic evidence of construction as per design drawings;
o As built construction drawings;

o Management and maintenance plan for the lifetime of the development which shall include the arrangements for 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. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

14) Notwithstanding the submitted Outline Student Management Plan by true Manchester and Student Move in / Move Out Strategy (prepared by Curtins), prior to the use commencing final details of

(a) Student Move in / Move Out Strategy; and

(b) Student Management Plan

shall be submitted and approved in writing by the City Council as Local Planning Authority

The approved details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

15) Notwithstanding the details within the Environmental Noise Survey and Noise Impact Assessment Report 31020/NIA1 12 December 2023 by Hann Tucker and Approved Document O report, Overheating risk in residential buildings, for Charles Street PBSA Manchester by IES : 01-12-2023 09 and Train Induced Vibration Assessment, Report 31020/VAR1 5 December 2023 by Hann Tucker

a) Prior to above ground works an Addendum Report to finalise the details of the scheme for acoustically insulating the proposed residential accommodation against noise from the nearby road network and any nearby commercial premises shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved with windows closed:

Bedrooms (night tme - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)
Living Rooms (daytme - 07.00 - 23.00) 35 dB LAeq

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

Due to the proximity of the development to the elevated railway line it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/re-radiated noise shall also be factored into the assessment and design.

The approved noise insulation scheme and vibration mitigation measures shall be completed before any of the dwelling units are occupied.

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal
noise criteria.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, and to reduce the potential for overheating pursuant to policies SP1, H1 and DM1 of the Core Strategy.

16) The approved development shall be carried out in accordance with approved flood risk assessment reporting (183-CS-DP2-A180-RP-XX-9041 Rev P06 and 1983-CS-DP2- A180-RP-XX-9043 Rev P03) and the following mitigation measures detailed within:

o Compensatory storage shall be provided in accordance with the report 1983-CSDP2- A180-RP-XX-9043 Rev P03 Flood displacement and compensatory storage

o Finished floor levels shall be set no lower than 31.900 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation of the development. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. Any changes to intended mitigation measures will require the written consent of the local planning authority.

Reason : In accordance with paragraph 173 of the National Planning Policy Framework (NPPF): To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water
is provided and as pursuant to Core Strategy Policies EN08 and EN14.

17) (a) The development shall be implemented in accordance with the Local Labour Construction: Proposal and Reporting Template stamped as received on 08-01-24

(b) Within one month prior to construction work being completed, 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).

18) Prior to occupation of the PBSA a scheme for the acoustic insulation of any plant including externally mounted ancillary equipment, lift equipment, substation and any emergency plant associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

The approved scheme shall be completed before the premises is occupied and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed scheme prior to occupation. The approved scheme shall remain operational thereafter.

The approved details shall be implemented and remain in place for as long as the above uses are operational

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

19) The development hereby approved shall be carried out in accordance with the targets set out within the Charles Street Energy and
Sustainability Statement Version: V2.0, Dated: 07/12/2023 by the Caldwell Group

A post construction statement shall be submitted within 12 months of occupation of the development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

20) Prior to implementation of any proposed lighting scheme details of the scheme including a report to demonstrate that the proposed lighting levels would not have any adverse impact on the amenity of residents within this and adjacent developments shall be submitted to and agreed in writing by the City Council as local planning authority:

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

21) The development hereby approved shall be carried out in accordance with the Charles Street Interim Travel Plan by Curtins Revision: P03 Dated: 12 December 2023

In this condition a travel plan means a document that includes the following:

i) the measures proposed to be taken to reduce dependency on the private car by building occupiers;
ii) a commitment to surveying the travel patterns of residents within the first six months of use of the development or when two thirds of the units are occupied (whichever is sooner) 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;
iv) measures to identify and promote walking routes connecting Circle Square, The Civic Quarter, ID Manchester, the Corridor and Universities and the City Centre; and

vii) monitoring of the Delivery Management Strategy and any required improvements

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved 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 and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

22) Notwithstanding the Charles Street, Television and Radio Reception Impact Assessment by GTech stamped as received on 14-12-23 within one month of the practical completion 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

23) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday/Bank Holiday the times shall be confined to 10:00 to 18:00 and shall be carred out in accordance with the Transport Statement by Curtins Revision: P03, dated: 12 December 2023

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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) No infiltration of surface water drainage into the ground on land affected by contamination is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason - To prevent pollution of controlled waters from potential contamination on site. Infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

25) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas.

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

26) If any external 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

27) Notwithstanding the details contained within condition 2 above prior to the first occupation of the PBSA a scheme of highway works and footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

(a) Details of the service layby and disabled parking space (noting the Highways comments supplied during the processing of this application in relation to costs for the loss of parking spaces);

(b) Any modifications / improvements to the public highway or footpath and evidence of associated S278 agreement; and

(c) Details of the materials, including natural stone or other high quality materials to be used for the footpaths and for the areas between the back of pavement and the line of the proposed building on all site boundaries; and

(d) Evidence of the agreed amendments to TRO's associated with the above;

and shall be implemented and be in place prior to the first occupation of the PBSA accommodation 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).

28) The development shall be carried out in accordance with sections 3, 4, 5 and 6 of the Crime Impact Statement Version A 06 12 23 stamped as received on 14-12-23;

The development shall only be carried out in accordance with these approved details and within 12 months of completion, the applicant will confirm in writing to the Council as local planning authority that the development has achieved Secure by Design accreditation

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

29) No doors (other than those designated as fire exits, access to the cycle store and ground floor bin store shown on Dwg 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02 stamped as received on 14-12-23 shall open outwards onto adjacent public highway.

Reason - In the interest of pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

30) The 28 cycle parking spaces shall be fully implemented as shown in dwg 10489-SHP-ZZ-A-B5D8-G200-PL-00-001 P02 stamped as received on 14-12-23; The development shall not be occupied unless and until the above cycle parking spaces are in place

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).

31) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps to the buildings hereby approved. The air source heat pumps must also comply with the noise criteria as specified in condition 19. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the air source heat pumps are installed and to ensure that they are appropriate in terms of visual amenity pursuant to polices SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

32) The proposed amenity spaces hereby approved as shown in dwgs 10489-SHP-ZZ-A-B5D8-G200-PL-01-001 P02 and 10489-SHP-ZZ-A-B5D8-G200-PL-02-001 P02 shall be ancillary to the PBSA hereby approved and not operate as separate planning units or commercial uses for which a separate application for planning consent would be required.

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, and in the interest of amenity, pursuant policy DM1 of the Core Strategy for Manchester.

33) Before any part of the development hereby approved is first occupied final details of the arrangements for waste storage and management arrangements shall be submitted and approved in writing by the City Council as Local Planning Authority:

This should include details of final arrangements in relation to both refuse collection. This should cover the frequency and dimensions of vehicles requiring access to the site, along with final details of the location for loading/ unloading.

The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In interests of highway safety pursuant to Policy DM1 of the Core Strategy

34) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that foul and surface water will be drained on a separate system, shall be submitted to and approved in writing by the City Council

as Local Planning Authority. The approved scheme shall be implemented in full before use of the use first commences.

Reason - Pursuant to National Planning Policy Framework Section 15 and Core Strategy policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

35) In relation to site layout, water supplies for firefighting purposes and access for fire appliances,the development shall be implemented in accordance with the Fire Safety Measures set out in the Fire Statement - Charles Street Revision: R03 by OFR stamped as received on 14-12- 23

Reason

To ensure a satisfactory development pursuant to Policy DM1 of the Core Strategy and in accordance with the Fire safety and high-rise residential buildings Guidance August 2021.

36) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the roofs other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

37) Accessible rooms shall be carried out in accordance with the Design and Access Statement Prepared by Simpsonhaugh DECEMBER 2023 stamped as received on 14-12-23

The approved details shall be implemented and be in place prior to the first use of the and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the accommodation is accessible to all pursuant to policy DM1 of the Manchester Core Strategy (2012).

38) Before development commences a scheme for dealing with the discharge of surface water and which demonstrates that the site will be drained on a separate system, with only foul drainage connected into the foul sewer, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented in full before use of the hotel first commences.

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).

39) No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from

construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

40) Prior to occupation of the development final details of the artwork to the elevation facing the nursery play area shall then be submitted to and agreed in writing by the City Council as Local Planning Authority and the approved scheme fully implemented prior to occupation of any of the approved PBSA accommodation.

Reason - To ensure that a satisfactory interface with the adjacent play area that respects the character and visual amenities of the users of that space in accordance with Core Strategy Policies SP1 and DM1.

41) Prior to commencement of development, advertisements for the adajcent Nursery and MOT garage will be displayed on the site hoardings and shall remain in situ until the development is complete and the hoardings removed

Reason -In the interests of reducing disruption to adjacent businesses pursuant to Core Strategy policy SP1.

42) Before development commences a report assessing the potential impact of glint and glare on the adjacent railway in accordance with the guidance document GEGN8634 Guidance on Maintenance of Signal and Operational Sign Visibility and details of any necessary mitigation shall be submitted to and approved in writing by the City Council as Local Planning Authority.

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).

43) The student accommodation element of the development hereby approved shall be used as purpose built student accommodation (PBSA) (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) (including serviced apartments/apart hotels or similar uses where
sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).

Reason - To ensure that the accommodation is used solely for the intended purpose - student accommodation and 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.

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: 138808/FO/2023 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.

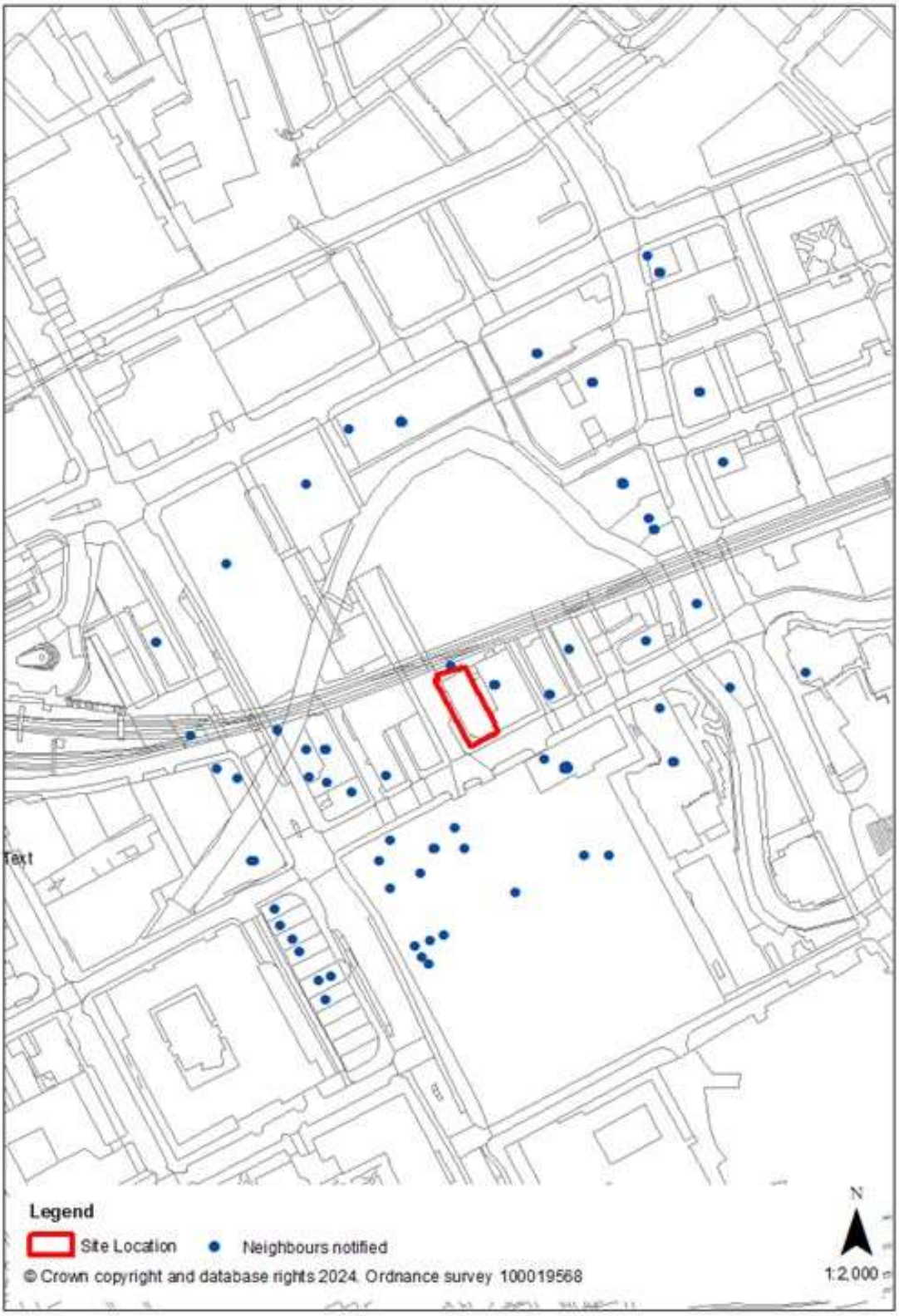
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Corporate Property
MCC Flood Risk Management
Work & Skills Team
Strategic Development Team
City Centre Renegeration
Greater Manchester Police
Historic England (North West)
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
Active Travel England
Natural England
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
Manchester Metropolitan University
University Of Manchester
Greater Manchester Geological Unit
Network Rail
Planning Casework Unit
United Utilities Water PLC
Canal & River Trust
Health & Safety Executive (Fire Safety)
Manchester Airport Safeguarding Officer
Civil Aviation Authority
National Air Traffic Safety (NATS)

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 : Angela Leckie
Telephone number : 0161 234 4651
Email : angela.leckie@manchester.gov.uk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