

Briefing

Charles Street – Summary of Public Objections

February 2024

Theme of Objection	Public Objection	Applicant Response
Sunlight and Daylight Impacts	These tall buildings are obstructing light into our flats and obstructing our view of the skyline.	The Daylight and Sunlight Report confirms that the effects experienced by Bracken House are to be considered in the context of the city centre location, and the degree of change through built development that is ongoing in this part of Manchester. There will be a reduction in daylight/sunlight experienced by certain properties, given the current site is a 'gap' in the central urban context. However, there would be no unacceptable amenity issues arising through the loss of daylight or sunlight in that context. Beyond the approach taken to design formulation no mitigation is required.
	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. The building will be an eye sore; the area is already bad enough.	The Town and Visual Impact Assessment confirms there are townscape and visual benefits, with an isolated instance of harm relating to the visual amenity of residents of Bracken House. This instance of harm is not unacceptable in the urban context within which the site is located. The development is demonstrated to be a high-quality design through the Design and Access Statement, which is reflective of its context and takes reference from the architectural approach to buildings within the adjacent Whitworth Street Conservation Area.

Impacts on MOT Garage	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.	The objections can be categorised into: impacts on the running of the business, effects from wind, effects on daylight and sunlight, effects from construction activities, and impact on highways/access. These are addressed in turn below.
	The adjacent MOT Garage is based under the railway arches and associated parking and servicing land immediately to the north of the red edge of the application property. The MOT Garage serves local residents and people working in the City Centre and has 6 employees. 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>Impacts on the operation of the MOT Garage Business</u> The applicant is prepared to consider advertising relating to the MOT business on the construction hoardings during the construction phase, and this could be secured pursuant to a planning condition. During the operation of the proposed development the operation of the MOT Garage will not be impacted (position on detailed effects set out below). There will be a building on the site which may reduce visibility of the garage from Charles Street, but the site is a ‘gap’ in the dense urban fabric and is not in a natural state therefore. Any building on the site would have this effect. Regeneration of such a prime site cannot be unreasonably frustrated by a desire to maintain a line of sight. We cannot accept that there will be job losses at the MOT Garage as a result of the proposal, there is no evidence that this impact will arise.
	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.	<u>Wind</u> A Wind Microclimate Assessment Report has been completed to support the planning application. This evidences that the proposed development will reduce wind speeds along York Road (where the MOT Garage is located), such that the wind speeds experienced by the staff and customers of the MOT Garage would be made calmer by the inclusion of the proposed development. As such, the risk of severe wind issues impacting this business would be reduced once the proposed development is completed

and operational (i.e. there would be a beneficial impact in this location). No mitigation is required.

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

Daylight and Sunlight

A daylight and sunlight assessment is not required for commercial properties following the accepted BRE Guidelines.

There are significant concerns about the short-term implications of construction of the building upon the operation of this business as well as significant concerns about the long-term implications upon the business should planning permission be granted and in the event the building is constructed. There are fears that short term impacts alone could result in his business being forced to close and that that the long-term implications would render the MOT garage unworkable due to a significant impact on operation for the following reasons:

- Wind and sun - negative impact upon the MOT Garage
- Engagement with Local Businesses
- Noise and Vibration negative impact upon the MOT Garage
- Noise from the MOT Garage impacting future residents - negative impact upon the MOT Garage
- Highways – negative impact upon the MOT Garage
- Construction Environmental Management Plan - negative impact upon the MOT Garage
- Impact of loss of employment at the MOT garage
- Loss of Visibility of MOT Garage
- Application Contrary to MCC Policies including H12

Noise and construction

Construction noise will be mitigated through the implementation of the following measures contained in the Construction Environmental Management Plan (CEMP). The CEMP will be implemented pursuant to a planning condition.:

- All vehicles and mechanical plant used for the purpose of the work shall be fitted with effective exhaust silencers.
- Occupiers who may be affected by noise or vibration for a specific phase of works shall be notified of the nature of the works, a contact telephone number and address to which any enquiries should be directed.
- Temporary noise barriers (i.e. acoustic blankets) will be used to reduce noise levels where appropriate and practicable.
- Prefabricated components will be used, where practicable, to avoid on-site 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 used to shield metal pipe cutting or concrete cutting activities on site.

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.

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 development may not be permitted, provided that proposed development can incorporate 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.”

- 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 through 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.
- 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.
- All vehicles, plant and machinery used during operations will be fitted with effective exhaust silencers and all parts of the machinery, plants and vehicles will be maintained in good working order and repair in accordance with the manufacturer’s recommendations.
- 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 CEMP confirms that the contractor will keep neighbours (which includes the MOT garage) 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.

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.

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.

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.

Furthermore, the CEMP emphasises that continuity of existing site operations will be at the centre of the delivery of the project. The contractor will use the following hierarchy:

1. Protect and maintain all existing adjacent buildings operations and services.
2. Protect and maintain all existing highway and footpath operations and services contained within.
3. Use construction methods that are appropriate when working close to site users and staff. Plan and communicate on the above basis.
4. Deliver, monitor and control activities.

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.

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.

Highways & Access

The application has been supported by a tracking drawing which illustrates a 9m refuse vehicle reversing towards the MOT Garage to complete a turning manoeuvre before exiting York Street onto Charles Street (tracking plan reference 084709-CUR-XX-00-D-TP-05001). The tracking shows the vehicle reversing across the entrance to the neighbouring MOT garage, however, the vehicle does not cross the pavement underneath the railway arches as suggested. The area of York Street which immediately fronts the MOT Garage forms part of the York Street carriageway with the footpath defined by the kerblin to the north of the access gate. The tracking drawings referenced above confirms that refuse vehicles will avoid the footway in this location. The drawing confirms that the turning manoeuvre of both the 8.4m and 9m refuse vehicle can be completed entirely within the adopted highway with no impact on third party land. Furthermore, the refuse vehicle would only use the area in front of the MOT garage as part of a turning movement to access/egress the dedicated loading bay along the proposed development frontage. All servicing and delivery activities will be carried out within the loading bay and no vehicles will obstruct access/egress to the MOT garage. There will be no impact on business operations at the MOT garage as a result of the development proposals. No mitigation is required.

Additionally pedestrian safety is considered in the Transport Statement which confirms that refuse collections will be undertaken during the early

morning periods when pedestrian movements would be minimal. It is also noted that the pedestrian access to the development scheme is located towards the junction of York Street/Charles Street and pedestrian activity will therefore be concentrated away from the loading area. The potential of conflict between refuse vehicles and pedestrians is therefore effectively managed and minimised. It is therefore considered that no further mitigation is required.

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.

Engagement has been attempted via the formal consultation event, leaflet drop, and telephone. Unfortunately, the MOT garage has not directly engaged or responded to the direct contact made. The concerns raised through the consultation for the determination of the application are themes that have been raised elsewhere in the consultation and as such are addressed within the Statement of Community Involvement (SCI). Chapter 6 section 3. B of the SCI addresses the concerns raised by the MOT Garage in Chapter 6.

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.

Impact on the PaintPots Nursery	The business has faced so many challenges including Covid. These have taken their toll in terms of getting the building up to standard and surviving the financial losses. Just when things are turning in the right direction the impacts from this development come as a total blow and could lead to the closure of this business.	The objections can be categorised into: impacts on the running of the business, effects on daylight and sunlight, and effects from construction activities. These are addressed in turn below. Further below, under generic comments, we deal with the wind impact on the nursery playground.
	How can the business stay sustainable when the works will put parents off sending the children to the nursery?	<u>Impacts on Business</u>
	The building would block the view of the business so they would not be seen by possible passing trade.	At the beginning of the development process, the applicant identified Paintpots as a critical stakeholder and immediately engaged with them in order to build a constructive and open relationship. There are no proposals to close the business as a result of the proposed development and the applicant is confident, building in all the mitigation measures it has, that the continued effective operation of the nursery will not be adversely affected. The applicant has engaged with Paintpots in order to alleviate concerns and help to identify additional measures to reduce any perceived impacts.
	The proposed building is directly next to this business not a couple of meters away you may be led to believe from looking at the plan. It will be attached directly to the staff room and play area for the children.	
	There would be an adverse on the mental health of staff and children due to worry and uncertainty.	Throughout the engagement, the applicant has repeatedly offered to engage with Paintpots, offering numerous suggestions to support the operation of the business, including:
	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.	• Supporting both Paintpots and Bracken House building owner, RailPen, in their ongoing redevelopment discussions.
	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.	• The moving of the outside playarea to a nearby location to help assist RailPen in their redevelopment of Bracken House – not that this is considered necessary by any means to accommodate this proposed development, but rather to provide the nursery owners further options. • The offer of a new and secure entrance to the nursery.

Without childcare, we could not work in the City Centre, period.

This is one of the few such facilities in the City Centre and the impacts from development could cause them to close.

PaintPots is the best nursery in the city centre and there are only 2 available options. My special needs son attends this nursery and he loves it there and has been thriving. If you force the nursery to close or relocate, it will be a great loss to the community.

- An amendment to the existing boundary to allow the nursery to use the side entrance lawfully going forward.
- The offer of advertising on hoardings during construction in order to promote the operation of the business.
- Opportunity for a mural on the new building façade facing towards the nursery.

The above list is not exhaustive and demonstrates the lengths the applicant is willing to go to in order to help support Paintpots now and in the future.

Access to the nursery currently comprises of a ramp through the Application Site, an access/egress arrangement permitted by the site owners. As part of the planning application, the applicant has included a new entrance for the nursery that is well lit and easily accessible with advert signage for the nursery along Charles Street to ensure that passing trade will be aware of the existing nursery. During the operation of the proposed development the operation of the nursery will clearly not be impacted, rather the nursery will have an new and improved access arrangement and a high quality building adjacent.

There will be a building on the site which may reduce visibility of the nursery from the street, but the site is a 'gap' in the dense urban fabric and is not in a natural state therefore. Any building on the site would have this effect. Regeneration of such a prime site cannot be unreasonably frustrated by a desire to maintain a line of sight.

Regarding any concerns raised about the provision of nursery places, the recently released '[Manchester Childcare Sufficiency Report 2022](#)' shows that there is currently sufficient early education and childcare provision for pre-school aged children in Manchester, though it varies by ward. Piccadilly ward is experiencing a shortfall in 2 year old places (compared to the 0-4yrs

	population of the ward), but this is likely to be being offset by oversupply in Ancoats & Beswick and Ardwick.
It will block most of the Nursery's daylight	<u>Daylight & Sunlight</u>
I feel it is beneficial a child should get sunlight during the day and if this building was to be built, I feel like the nursery will lose all the sunlight it gets as the playground is already dull since the hotel across the road has been built and this building next to it will completely block what sunlight it gets now.	An assessment of the impact of the proposed development on levels of daylight, sunlight and overshadowing was undertaken which concludes the proposed development has a very limited effect on levels of daylight and sunlight reaching adjacent buildings, including the nursery (and its playground). This is due to the orientation of the windows to the path of the sun and the presence of existing tall buildings. Similarly, overshadowing effects are expected to be limited due to the presence of existing tall buildings. In summary, the nursery already sits within a dense urban fabric which blocks sunlight and reduces daylight levels, the proposed development will not materially alter that context.
There would be a loss of natural light to the nursery with the building being so close to the nursery garden.	
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.	True Student has been appointed to be the operator for the development, they are a well-established student accommodation provider with rooms in Salford, as well as across Britain. True Students will produce a Student Management Plan which would have a focus on both ensuring the well-being and safety of occupants whilst ensuring that the day-to-day operation of the scheme does not have adverse impacts on the local community in terms of day-to-day comings and goings and particularly move in / move out days. A Student Management Plan will be required to be implemented via a planning condition attached to the Planning Permission, requesting that the Student Management Plan will be prepared and submitted to the Council for approval which will address this concern. A well managed PBSA scheme such as proposed is considered an entirely appropriate use for the site and neighbour to surrounding uses.

Toddlers have an outside playing area facing the site how will they be protected from dust and noise during construction?

How will children sleep during construction?

The development would be horrendous and for safety issues 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, care and health.

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.

Construction Phase Impacts

Mitigation is proposed to reduce impacts from construction activities on the nursery, to ensure the construction environment does not hamper the ability for the nursery to operate or cause issues for children, parents and carers. As noted above, the mitigation measures are included within the Construction Environmental Management Plan (CEMP) and Dust Management Plan (DMP). The CEMP and DMP, and the measures therein, will be implemented pursuant to a planning condition attached to a planning permission. The mitigation measures specific to the nursery include:

Dust

A Dust Management Plan has been prepared to support the application in line with the CEMP. Due to the size of the development it is not practicable to plan site layout so that machinery and dust causing activities are located away in a more distant location, however solid screens or barriers will be put in place around all dusty activities and/or the site boundary hoardings will be at least as high as any stockpiles on site will be used. The Plan confirms that:

- The Contractor will keep site fencing, barriers and scaffolding clean using wet method
 - Remove materials that have a potential to produce dust from site as soon as possible, due to the constrained nature of the development this will be all excavated materials – this goes above and beyond normal controls.
 - Ensure all vehicles are well maintained and switch off engines when stationary – no idling vehicles.
 - Only use cutting, grinding or sawing equipment fitted or in conjunction
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with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems.

- Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation. Use enclosed chutes and conveyors and covered skips.
- Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.
- Ensure equipment is readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.

There are no other impacts on air quality arising from the development – there will be limited vehicular movements during construction, but negligible in the context of this city centre location adjoining roads. The only aspect of air quality requiring mitigation is the dust management regime referred to above, which will ensure the development can be advanced without causing harm to the users of the neighbouring premises.

Construction noise

The following measures will be implemented pursuant to the CEMP to reduce construction noise impacts on the nursery to levels reflective of the sensitivity of that use:

- Acoustic screens used to shield metal pipe cutting or concrete cutting activities on site.
 - Cutting stations for cutting metal wall studs will be in suitably acoustically sheltered locations.
 - All compressors and generators shall be models fitted with properly lined and sealed acoustic covers or enclosures which remain closed when in use.
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- Noisy plant or equipment will be sited as far away as possible from the nursery. Wherever practicable, the use of barriers in the form of acoustic barriers or enclosures will be employed.
 - Fixed or semi-static plant will be located and orientated away from the nursery where feasible to do so.
 - Vibratory compaction equipment will be used in a mode which minimises the incident vibration at the nursery.

The CEMP confirms that the contractor will maintain regular and open lines of communication with adjacent neighbours/buildings to ensure that the construction of the Proposed Development will not have an adverse effect on the operation of the nursery. Furthermore, the CEMP seeks to mitigate against the impacts of the construction phase (as detailed above) and will ensure that a contractor who is highly experienced in developing sites in town and city centres where there is an even greater emphasis on putting in place measures to avoid unacceptable impacts on adjoining occupiers, will be appointed.

The Construction Noise and Vibration Assessment Report concludes that with mitigation measures the impacts from construction activities are acceptable.

Additionally, the applicant is entirely willing to continue discussions with the nursery operators to ensure a good neighbour arrangement, and to consider if there are any other specific measures to support how the nursery operates on a day to day basis. However, even without such measures, the applicant is very confident, informed by evidenced assessment, that the site can be developed as proposed without adversely affecting the users of the nursery (and other neighbours).

Generic Comments	Wind tunnels are bad enough with the hotel adjacent this will make it even worse.	A Wind Microclimate Assessment Report has been completed to support the planning application. This confirms that the proposed development will reduce wind speeds along York Road, such that the wind speeds experienced by the pedestrians would be made calmer by the inclusion of the proposed development. As such, the risk of severe wind issues impacting pedestrians along York Street would be reduced once the proposed development is completed and operational (i.e. there would be a beneficial impact in this location). No mitigation is required. In relation to the nursery playground area, the wind assessment has assessed this area as suitable for sitting in all seasons as a baseline level, i.e., as existing, and when the proposed development is in place. The sitting criteria is the calmest condition possible and therefore the proposed development does not have any impacts on the conditions in this space in relation to wind.
	Its absolutely absurd to even contemplate this building.	The Planning Statement demonstrates a compelling case for the grant of planning permission, demonstrating compliance with all aspects of planning policy, by reference to supporting information and assessments as relevant.
	This is a project purely for financial gain for the developer it's not what the city needs directly in the centre. The growing number of residents need child care not a high end apartments for foreign nationals.	There is a clear and pressing need for new high-quality PBSA schemes in Manchester and the supporting Planning Statement demonstrates how the Proposed Development would satisfy the requirements of Core Strategy H12.
	Risk to my job as this is an inconvenience/threat to the surrounding businesses.	The responses are lacking in detail therefore it is difficult to make a specific comment to address these concerns. As discussed above, the CEMP confirms that during the construction phase, the Contractor will protect and maintain all existing adjacent buildings operations and services. The construction of the proposed development will be required to be carried out in accordance with the CEMP and this will be secured via a Planning Condition. As previously mentioned, a Student Management
	Students from the building across already cause concern and issues this will now be increased.	
	Bracken house should be sorted before adding to the disgraceful area.	

Plan will be prepared by True Students which will be secured via a Planning Condition.

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