

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138243/FO/2023

Date registered valid: 12 December 2023

Proposal: Erection of 4no. storey extension to 32-34 Laystall Street, to provide 4no. self-contained residential apartments (Use Class C3) and installation of air conditioning units on refuse store wall.

Application no. 138244/LO/2023

Date registered valid: 12 December 2023

Proposal: Listed Building Consent for erection of 4no. storey extension to 32-34 Laystall Street, to provide 4no. self-contained residential apartments (Use Class C3) and and installation of air conditioning units on refuse store wall.

Address: 32 - 34 Laystall Street, Manchester, M1 2JZ

Ward(s): Piccadilly Ward

Applicant: McCaul McCauls Group Ltd

Agent (if any): Ms Kelly McCann Deloitte LLP

Case officer: Angela Leckie
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Recommendations:

138243/FO/2023 : Approve

138244/LO/2023 : Approve

Date of recommendation: 24-01-24

Application details : 138243/FO/2023

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 13 December 2023

Standard consultations:

Printed: 13 December 2023

Expired: 6 January 2024

Neighbour notifications

Printed: 13 December 2023

Expired: 6 January 2024

Site notice

Posted:

Expired: Posted: 13 December 2023

Expired: 6 January 2024

Press advert

Published: 19 December 2023

Expired: 2 January 2024

Departure from Development Plan: No**Environmental Statement:** Not required**Application details :** 138244/LO/2023**Type of application:** Listed Building Consent**Development type:** Listed building alteration**Date of site visit:** 13 December 2023**Standard consultations:**

Printed: 13 December 2023

Expired: 6 January 2024

Neighbour notifications

Printed: 13 December 2023

Expired: 6 January 2024

Site notice

Posted: 13 December 2023

Expired: 6 January 2024

Press advert

Published: 19 December 2023

Expired: 2 January 2024

Departure from Development Plan: No**Environmental Statement:** Not required**Description of site/building****Listed building:** Not applicable**Conservation area:** Not applicable**Tree Preservation Order:** Not applicable

The application relates to a Site comprises approximately 97.7 sq. m. of vacant brownfield land, directly to the west of 32-34 Laystall Street a Grade II Listed Building and to an area to the rear of 32-34 Laystall Street. The wider Site is bounded to the north by Laystall Street; to the south by land and to the west by Pigeon Street (beyond which is a surface

level car park. The west gable of 32-34 Laystall Street currently has a poor and featureless appearance.

The site is part of a much larger area measuring 5.9 ha based around the Rochdale Canal Basin known as Piccadilly Basin. Piccadilly Basin has been a regeneration priority for the past 20 years. Laystall Street connects from the adjacent Ducie Street into Great Ancoats Street.

The site is close to Piccadilly Station, the Northern Quarter, Ancoats Urban Village and New Islington. It falls within both the HS2 Strategic Regeneration (2018) East Village Area which is designated as a mixed used neighbourhood with a residential focus around canal basins and adjacent to the Piccadilly Basin Strategic Regeneration Framework Area (2016). In terms of the latter this aims to deliver new housing and employment space within a mixed-use neighbourhood, based around a waterway in the heart of the City Centre.

Description of development

Consent was granted under application ref no's:

128911/FO/2020 as amended by 133218/NMC/2022 and 136217/NMC/2023 : for the Erection of 9 storey residential building (Use Class C3) comprising 89 residential units (28 x 1 bed and 61 x 2 bed) and conversion of and 3 storey extension to 32-34 Laystall Street for use as offices (Class E) with associated external works following demolition of outrigger and associated structures along with other associated works including access, servicing, landscaping and secure cycle parking

And

136218/JO/2023: for Internal and external alterations to 32-34 Laystall Street including: refurbishment of windows; refurbishment of interior; installation of a new access gate; installation of new plant, new roof; and, a three storey corner extension, following demolition of the outrigger and associated structures (128904/LO/2020 as amended)

The refurbishment of the Grade II Listed Building is currently progressing and the residential element being delivered by Great Places is due to commence on site in 2024. Following detailed design development, it has been established that the 3no. storey extension to 32 – 34 Laystall Street is no longer required in relation to the office use. As such, this application seeks Full Planning Permission and Listed Building Consent for a 4no. storey extension to 32-34 Laystall Street for residential use (4no. self-contained apartments).

The proposed height, scale and massing remains unchanged; however, the proposed development achieves 4no. storeys (as opposed to 3no.), owing to floor-to-floor levels being adjusted to meet residential standards. There would be some amendments to the previously approved facades to accommodate the additional floor and the new use.

A Non Material Amendment application has been submitted alongside this application. The NMA seeks to carve out the office extension from Planning Permission Ref. 128911/FO/2020, by introducing a phasing plan, and amending condition wording. It is anticipated to phase the approved development as follows:

- Phase 1: Refurbishment of Listed Building, and construction of 9no. storey residential block.
- Phase 2: Construction of extension to Listed Building.

The intention is for Phase 1 to be built out in accordance with Planning Permission Ref. 128911/FO/2020 and Listed Building Consent Ref. 128904/LO/2020 (as amended) and for Phase 2 to be built out in accordance with the proposals presented within this application

The proposed development would comprises one residential apartment per floor. All apartments will be 1-bed, measuring between 45 sq. m. – 53 sq. m. The external facades would be a mix of brick, glazing and metal panelling.

The main entrance would be located on Laystall Street within a glazed slot between the corner block and the Listed Building. All apartments would be accessed via a communal stair core next to this entrance. A communal bin store would be located to the southeast of the building accessed from Pigeon Street.

Secure cycling storage for 4no. bikes (100%) is to be provided within the secure courtyard to the rear of the Listed Building.

Consent is also sought to relocate unauthorised air conditioning units from the rear of 32-34 Laystall street to the wall of the refuse store associated with the 9 storey residential building. Whilst noting that these were not identified as a requirement in the previous consents as detailed above, a comfort heating/cooling system to the office conversion has been proposed in lieu of the previous design proposed for a electric radiator system in order to provide a more efficient heating system which also has the advantage of providing cooling in hot weather. The client's commercial agents have advised that this type of heating/cooling is expected in the commercial letting environment.

Consultations & Notification Responses

138243/FO/2023

Publicity – The application was advertised as a public interest development and as affecting the setting of a listed building. Site notices were displayed adjacent to the site and the occupiers of neighbouring properties were notified about the application. No Representations have been received.

Head of Highways – No objections

Head of Environmental Protection – No objections subject to conditions relating to noise management (including any plant), refuse storage and disposal and contaminated land.

Environment Agency – No objection subject to a condition relating to piling/

Flood Risk Team – No objections but have recommended a condition to manage surface water drainage.

Greater Manchester Police – No objections subject to recommendations of submitted Crime Impact Assessment and the applicants response to their follow up comments being a condition of any consent granted.

GMEU – No objections but have recommended that measures to secure ecological benefits are attached to any consent granted.

HS2 – No objections

GMMAS -Note that the archaeological interests in the application site were secured via Condition 4 attached to Application 128911/FO/2020, which required an archaeological evaluation to be carried out in advance of development. This was carried out by Salford Archaeology in July 2022, in accordance with an agreed Written Scheme of Investigation, and a report setting out the results has been submitted in support of the current application. They notes that it was concluded from the evaluation trenching that no further archaeological investigation was warranted. As such, archaeological matters do not require any further consideration as part of the current application.

138244/LO/2023

Publicity – The application was advertised as affecting a listed building and a site notice was displayed adjacent to the site. Occupiers of adjacent properties were notified about the development. No representations have been received.

Issues

National Planning Policy Framework – The following Policies are of relevance to this application:

Section 5 – Delivering a sufficient supply of homes – The proposals would be consistent with the aim of the government's objective of significantly boosting the supply of homes of a variety of sizes, types and tenures.

Section 6 - Building a strong and competitive economy- It is noted that the proposal would result in street level activity and would generally be acceptable in principle in a mixed use City Centre environment.

Section 7 – Ensuring the vitality of town Centres - this recognises town centres as the heart of their communities and states that planning policies should support their viability and vitality. The proposal would result in street level activity and would generally be acceptable in principle in a City Centre locations.

Section 12. Achieving Well- Designed Places- The design would be highly quality and complement the existing and emerging distinctive architecture within the area. The buildings would be sustainable and low carbon.

Section 16 Conserving and enhancing the historic environment – states that in determining planning 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;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

And that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

In terms of the NPPF the following should also be noted:

Paragraph 201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

203 In determining applications, local planning authorities should take account of:

- a) 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 205 states that when considering 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 states 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. Substantial harm to or loss of:

- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

206. 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. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

207. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

208. 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.

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 8). In order to meet this key planning objective, in this instance the development should sustain and contribute to the stimulation of a thriving historic environment.

The alignment with the above policies is discussed below.

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.

The relevant policies within the Core Strategy are as follows: Strategic Spatial Objectives - The adopted Core Strategy contains Strategic Spatial Objectives that form the basis of its policies, as follows:

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. Spatial Principles – The proposal would deliver homes in a highly sustainable location.

SO2. Economy – High quality homes in this sustainable location would support economic growth. The construction phase would create local employment.

S06. Environment – The proposal includes up to date energy efficiency measures in the fabric and construction and would be low carbon and highly sustainable. A travel plan is provided with 4 cycle spaces for residents.

Policy SP1 ‘Spatial Principles – The proposal would have a positive impact on visual amenity and the setting of the listed building that it would adjoin. It would be a high quality development which would complement existing and recent developments.

Policy EC3 ‘The Regional Centre’, Primary Economic Development Focus (City Centre and Fringe and Policy CC8 Change and Renewal - The proposal would provide homes close to all forms of sustainable transport.

Policy CC9 Design and Heritage – This would be a high quality development which would be an appropriately complementary completion of the vacant street block adjacent to the adjacent listed building.

Policy CC10 A Place for Everyone – The proposal would complement the regeneration of the Piccadilly Basin. The ground floor would be fully accessible. The reasons for the upper floors not being accessible are discussed below.

Policy T1 ‘Sustainable Transport’ – A range of public transport modes are nearby, including Piccadilly rail and tram station.

Policy T2 ‘Accessible areas of opportunity and needs’ - A travel plan demonstrates that the proposal would encourage use of sustainable transport. Given the scale of development it would have minimal impact on the local highway network.

Policy H1 ‘Overall Housing Provision’ – This is development on a previously developed site in a highly sustainable location. The waste management arrangements would include on site recycling.

Policy H8 ‘Affordable Housing’ – The number of units is below the threshold requiring a contribution.

Policy EN1 ‘Design principles and strategic character areas’ - This proposal would enhance the regeneration of the area.

Policy EN3 ‘Heritage’ – The development would complement the heritage features of the adjacent listed building. It would support the Council in enhancing the setting of the adjacent listed building.

EN4 ‘Reducing CO2 emissions by enabling low and zero carbon development’ – The proposal would have energy efficient fabric. A travel plan and cycle provision is proposed.

Policy EN5 Strategic Areas for low and zero carbon decentralised energy infrastructure - the building has a robust energy strategy. There are no plans for district heating or other infrastructure in the local area.

Policy EN6 ‘Target framework for CO 2 reductions from low or zero carbon energy supplies’ – The use would reduce energy demands. The building fabric would be high quality and energy costs should remain low.

Policy EN9 ‘Green Infrastructure’ – The site has low ecological and biodiversity value. Enhancement would be secured by a condition attached to any consent granted.

Policy EN14 ‘Flood Risk’- The site is in flood zone 1. A scheme to minimise surface water runoff would be agreed.

Policy EN15, ‘Biodiversity and Geological Conservation’ - The site has limited ecological value. Enhancement would be secured by a condition attached to any consent granted.

Policy EN16 ‘Air Quality’ Construction activities would be controlled to minimise the impact on air quality.

Policy EN17 ‘Water Quality’ - Water saving measures would minimise surface water runoff. The historic use of the site means there is evidence of below ground contamination which could impact on ground water. Remediation measures are required to minimise any risk to below ground water quality.

Policy EN18, 'Contaminated Land' – Remediation is required before the site can be developed but ground conditions are not complex. Conditions can be used to protect ground water and ensure the site is remediated.

EN19 'Waste' – The waste management strategy includes recycling within homes.

Policy DM1 'Development Management' - Consideration has been given to the design, scale and layout of the building along with associated impacts on residential amenity.

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

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

Saved policy DC19 'Listed Buildings' - The proposal would complement and enhance the setting of nearby listed buildings. This is considered in detail in report.

Saved policy DC20 Archaeology states the Council will give particular careful consideration to development proposals which affect sites of archaeological interests, to ensure their preservation in place. The Archaeological interest of the site has been investigated and recorded as part of condition discharge on associated developments

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

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.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are 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 4 apartments 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.

Objective 4: Maximise the potential arising from our national and international assets – the proposal would provide an appropriate development removing a vacant and poor quality site from the area creating a high quality development.

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 Piccadilly station with access to the local buses at Piccadilly Gardens. The site would be improved and support and enhance pedestrian and cycle movements.

Objective 7: Playing our part in ensuring that Greater Manchester is a more resilient and carbon neutral city-region – This low carbon development will includes measures to improve biodiversity to be secured via a condition.

Objective 8: Improve the quality of our natural environment and access to green spaces – biodiversity would be improved via a condition 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. It would create job during construction.

Policy JP-Strat2: City Centre- This would be development in a highly sustainable location. Biodiversity would be improved through a condition.

Policy JP-S2: Carbon and Energy – The proposal would include renewable sources 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 – Accessible parking spaces would be provided on site. Construction activities can be mitigated to minimise the impact on local 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 apartment sizes would comply with the nationally described space standards. The size of the site precludes compliance with Part M4 (2).

Policy JP-H4: Density of New Housing – The proposed density would be appropriate to the site location in terms of the relationship of the development with the adjacent listed building

Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity – There would be planting and bird and bat boxes secured via condition which would increase biodiversity.

Policy JP-P1 Sustainable Places – The proposal would develop a vacant site. The development would promote recycling and improve the public realm improvements.

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 – Footways would be upgraded

Policy JP-C7: Transport Requirements of New Development – The proposal would be connected to the infrastructure and nearby public transport. It would benefit from public realm improvements at the site and in the wider area.

Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

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.

The Schemes Contribution to Regeneration and Housing Delivery

Regeneration is an important planning consideration. The City Centre is the primary economic driver of the region and is crucial to its longer term economic success. There is an important link between economic growth, regeneration, and the provision of new housing and as the national economy has entered a new growth cycle, it is essential that new homes are provided. The site is currently cleared and has a negative impact on the street scene and setting of the adjacent listed building.

The proposals would bring benefits in terms of completing the street block on a key corner site.

The proposal would support population growth, contribute to the economy, and help to sustain the Northern Quarter as a vibrant place to work and live. The proposal would contribute to meeting housing need within an area that has been identified as being suitable for new residential development.

Given the above, the proposed development would be consistent with sections 5,6 and 7 of the National Planning Policy Framework, and aligns with Core Strategy policies H1, EC3, SP1, CC3, CC10 and DM1.

Affordable housing provision

The number of units proposed falls below the 15 or more units level that requires a contribution to be made to the City-wide target for 20% of new housing provision to be affordable.

Given the above, the proposed development would align with consistent with Core Strategy policy H8.

Residential development - density/type/accommodation standards

All apartments would meet or exceed the spaces standards as set out in the Residential Quality Guidance and National Space Standards.

It is accepted given the size of the site that it is not possible to provide a mix of unit types inclusion of family sized units whilst meeting the above standards.

Design Issues, relationship to context and impact on the setting of the Listed Building

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 8). In order to meet this key planning objective, in this instance the development should sustain and contribute to the stimulation of a thriving historic environment.

It is noted that many architectural details, including openings, have been carried forward as part of this revised scheme. The brickwork colour would reflect the Listed Building, and the corner block will be visually separated from the listed building by a strip of glazing to the main elevation. Whilst the design is contemporary, the scale of openings and some of the detailing is carried over. In particular, the Tudor rose motif evident on the listed facade will be incorporated into the extension forming two solid panels at ground floor. The intent is to sit comfortably against, but not to dominate the Listed Building.

The façade is set out to subtly pick up on the proportions of the listed building; a strong base, middle and a more delicate top. With the string courses of the listed building tying the two buildings through and around the corner. At key points within a subtle grid, panels of brickwork that incorporate recessed bands will be used to define a base.

The setting out of the proposed openings also picks up on this subtle grid, in form they also reflect the openings of the listed building. At first and second floor these take the form of tall, vertically proportioned, round headed windows. At second floor rectilinear windows are proposed that reflect the height and rhythm of the openings at the centre of the showroom's Laystall St elevation.

Coping/sills and header stones are proposed in pre-cast stone in a light buff colour to match the listed building's terracotta details and the cills on the new build residential block. This will also match the proposed terracotta rose motif. Both will provide a clear contrast to the red brick.

The revised block will continue to positively respond to the character area; and contribute to enhancing a sense of place within the Piccadilly area.

The relocation of the existing unauthorised air conditioning units to the residential bin store would conceal them from view by the refuse store wall removing the current harm that this has on the character and fabric of the listed building.

The proposals will cause no harm to the special architectural or historic interest heritage interest of the adjacent listed building, and will, in fact, enhance that interest and its setting and the ability to understand and appreciate it.

Public benefits would be derived by removal of a gap site which would enhance the setting of the adjacent listed building, completing the street block and removing the exposed and unsightly gable end (environmental) and create additional jobs during construction and support the City's wider economy by providing housing (economic and social).

Whilst it is necessary to have special regard to the desirability of preserving the setting any affected Heritage Assets it is considered that the proposals would be beneficial in the context of the architectural and historic character and fabric of the listed building and the character of the conservation area.

On the above basis the proposals are considered on balance to be acceptable.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings as required by virtue of S66 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 201, 203, 205 and 207 of the NPPF and that in view of the above it is considered that the proposed development would on balance be consistent with the development would align with sections 12 and 16 of the National Planning Policy Framework and policies SP1, DM1, EN1, EN3 and CC9 and of the Core Strategy and saved UDP policy 19.1.

Energy Efficiency and Sustainability

New developments should attain high standards of sustainability because of their high profile and local impact. The Code for Sustainable Homes was revoked in March 2015 but it is important to understand how a development performs in respect of waste efficiency and energy standards.

All heating would be electric, and the energy efficiency of the building will be improved through upgrades to or replacement of existing windows and the roof. There is potential for PV units on the roof details of which would be secured via a planning condition. Mechanical ventilation with heat recovery (MVHR) system will be specified in the dwelling to further reduce the heat losses and the energy demand of the apartments. The building would comply with the energy performance requirements as set out in the Core Strategy for a development of this size.

The proposal would deliver a scheme that is efficient and cost effective during occupation and accords with the adopted Core Strategy Policy EN 4, EN5, EN6 and the Supplementary Planning Document (SPD) criteria.

Noise

Given the nature of uses within the adjacent area there is a need for a suitable level of acoustic insulation and ventilation to the property to attain acceptable internal noise standards within the

property whilst preventing overheating. The final details of this would be secured via a pre-commencement condition to be attached to any consent granted.

On the above basis the proposals would align with Core Strategy policies SP1 and DM1 and saved UDP policy DC26.

Disabled Access

A lift is not provided within the scheme primarily since the proposed extension is working within the bounds of a previously consented plan and the lift would also reduce the apartment areas to below NDSS 1 bed 2 person apartments (50m²) for the upper 3 floors. Additionally, providing a lift for such a small development would present viability problems both in terms of the construction cost versus development value and in operation with only 3 apartments sharing the operation and maintenance cost which would be a considerable burden on the future occupants.

Whilst there would be level access to the ground floor in terms of making the ground floor apartment suitable for a wheelchair user. There is insufficient space in the ground floor of the building to provide the space required to comply with approved document M(4)3 standards. The space required for kitchens, bathrooms and bedrooms do not fit within the footprint of the floor of the scheme.

On balance given the site constraints this is considered to be acceptable and to align with Core Strategy DM1.

Transport/Car Parking/Highway Safety

The site is in an area that is well served by various methods of public transport including buses, trains and the Metrolink and the proposals for servicing and waste collections are considered to be acceptable.

Given the above, the proposals are considered to be in accordance with Core policies DM1, T1 and T2.

Crime and Security

The proposals would increase footfall in the area and improve levels of natural surveillance on Laystall Street and Pigeon Street. The proposal aligns with policies SP1 and DM1 of the Core Strategy.

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 a right to a fair hearing and to this end the local planning authority 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 policies 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 recommendation given 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:

138243/FO/2023 : Approve

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.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

138244/LO/2023 : Approve

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.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Informatives

1) The applicant should carry out a dilapidation survey to include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site to inform discussions in relation to highway permits.

Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking (for a fee) to MCC Bridges/Structures Section. The applicant is advised to contact highways.structures@manchester.gov.uk.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester (Tel: 0161 234 5004 / Email: highwaylicences@manchester.gov.uk).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Strategic Development Team
MCC Flood Risk Management
City Centre Renegeration
Greater Manchester Police
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
High Speed Two (HS2) Limited
Greater Manchester Ecology Unit
United Utilities Water PLC

Second Floor Unit 232, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 303, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Flat 11, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 1, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 5, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 17, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 17, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 6, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
First Floor Unit 104, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 211, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 215, Ducie House, 10 Ducie Street, Manchester, M1 2JW
Second Floor Unit 221, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 302, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 113, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Ground Floor To Second Floor, 32 - 34 Laystall Street, Manchester, M1 2JZ
The Stables Suite C, Paradise Wharf, Ducie Street, Manchester, WA15 8XL
Flat 18, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 2, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 22, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Second Floor Unit 219, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 229, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 231, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 304, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 310, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Unit 106, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Unit 206, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 127, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Paradise Wharf Partnership, The Stables Suite A, Paradise Wharf, Ducie Street, Manchester, M1 2JN
Flat 1, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 18, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 23, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 25, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 21, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 29, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Room 228, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 204, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 225, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 235, Ducie House, 37 Ducie Street, Manchester, M1 2JW

Third Floor Unit 300, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 305, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 308, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 125, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Flat 26, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 14, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 27, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 28, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 22, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 28, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 5, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 8, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
First Floor Unit 128, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 201, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 213, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 230, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 110, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Flat 4, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 15, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 6, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 3, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 23, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 14, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 19, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 24, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 26, Junction Works, 40 Ducie Street, Manchester, M1 2DF
65 - 67 Ducie Street, Manchester, M1 2JQ
Flat 10, Junction Works, 40 Ducie Street, Manchester, M1 2DF
First Floor Unit 123, Ducie House, 37 Ducie Street, Manchester, M1 2JW
30 Tariff Street, Manchester, M1 2FJ
81 Ducie Street, Manchester, M1 2JQ
51 - 53 Ducie Street, Manchester, M1 2JQ
47 Ducie Street, Manchester, M1 2JW
Flat 9, Junction Works, 40 Ducie Street, Manchester, M1 2DF
77 - 79 Ducie Street, Manchester, M1 2JQ
Flat 8, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 12, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 11, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 12, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 13, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 15, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 9, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Creation ADM, Paradise Wharf, Ducie Street, Manchester, M1 2JN
Gap PR, Paradise Wharf, Ducie Street, Manchester, M1 2JN
M Five, Paradise Wharf, Ducie Street, Manchester, M1 2JN
Duplex 1, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 134, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Duplex 2, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Imagine CGA Ltd, Paradise Wharf, Ducie Street, Manchester, M1 2JN
Duplex 3, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 130, Ducie House, 37 Ducie Street, Manchester, M1 2JW
The Stables Suite B, Paradise Wharf, Ducie Street, Manchester, M1 2JN
GOOEY CREATIVE LTD, Duplex 5, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor, Ducie House, 37 Ducie Street, Manchester, M1 2JW

1 - 3 Lomax Street, Manchester, M1 2LP
M And S Outlet, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
Pure Gym, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
ALDI, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
Go Outdoors, Urban Exchange, Great Ancoats Street, Manchester, M4 6DE
Second Floor Unit 217, Ducie House, 37 Ducie Street, Manchester, M1 2JW
URBAN SPLASH WORK LTD, Second Floor Unit 223, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 227, Ducie House, 37 Ducie Street, Manchester, M1 2JW
URBAN SPLASH WORK LTD, Second Floor Unit 228, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 234, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Flat 2, Junction Works, 40 Ducie Street, Manchester, M1 2DF
First Floor Unit 116, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Ground Floor Rear, 32 - 34 Laystall Street, Manchester, M1 2JZ
First Floor And Second Floor Workshop, 10 Pigeon Street, Manchester, M1 2JW
Flat 20, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 25, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 7, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
The Cotton House, Ducie Street, Manchester, M1 2TP
Paradise Wharf, Ducie Street, Manchester, M1 2JN
53 Store Street, Manchester, M1 2WD
Flat 16, Junction Works, 40 Ducie Street, Manchester, M1 2DF
10 Pigeon Street, Manchester, M1 2JX
83 Ducie Street, Manchester, M1 2JQ
132 - 134 Great Ancoats Street, Manchester, M4 6DE
Flat At, 47 Ducie Street, Manchester, M1 2JW
Flat 7, Junction Works, 40 Ducie Street, Manchester, M1 2DF
First Floor Unit 111, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 129 And Unit 131, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 133, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Basement And Ground Floor, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 205, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 207, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 214, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 226, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Third Floor Unit 306, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Falcon Outdoor, Laystall Street, Manchester, M1 2JY
Flat 24, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 20, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 4, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 10, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 16, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
Flat 21, Junction Works, 40 Ducie Street, Manchester, M1 2DF
First Floor Unit 105, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 203, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 233, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Duplex Unit 4, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 115, Ducie House, 37 Ducie Street, Manchester, M1 2JW
First Floor Unit 117, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Flat 19, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
The Stables Suite D, Paradise Wharf, Ducie Street, Manchester, M1 2JN
Flat 13, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE

Flat 27, Junction Works, 40 Ducie Street, Manchester, M1 2DF
Flat 3, Whittles Croft, 42 Ducie Street, Manchester, M1 2DE
First Floor Unit 102, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 202, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 210, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 212, Ducie House, 37 Ducie Street, Manchester, M1 2JW
Second Floor Unit 224, Ducie House, 37 Ducie Street, Manchester, M1 2JW

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL