

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136496/FO/2023

Date registered valid: 23 March 2023

Proposal: Installation of 1.8 metre high fence to site boundary together with vehicular and pedestrian access gate, cycle storage, and associated landscaping.

Address: Parkway Gate , 50 Chester Street, Manchester, M15 6JH

Ward(s): Deansgate Ward

Applicant: Unite Integrated Solutions Ltd

Agent (if any): Mr Matthew Roe ROK Planning

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15th December 2023

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 6 April 2023

Standard consultations:

Printed: 29 March 2023 Expired: 19 April 2023

Neighbour notifications

Printed: 29 March 2023 Expired: 19 April 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of Area/Site

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to Parkway Gate student accommodation, which is located at 50 Chester Street and is bounded by Chester Street, Wilmott Street, the Mancunian Way and Newcastle Street. The building was designed by Simpson Haugh and Partners and has a high-quality appearance that makes a positive contribution to the street scene.

The existing building provides 718 student bedrooms and 332.2m² of commercial space. The site is adjacent the First Street area, which includes offices, food and drink uses, car parking, hotel accommodation, conference space, high quality architecture and public realm.

The area also includes HOME, a cultural hub for film, theatre and exhibitions and events take place throughout the year.

It is the subject of the First Street Strategic Regeneration Framework. The site is located adjacent the First Street Central character zone, which is a new office destination targeted at a range of commercial occupiers and competitively priced. There is residential accommodation close to the site and other uses include offices, shops, hotels, cafes, and bars are in the immediate area. Oxford Road Train Station and Deansgate Train Station are nearby. The nearest residential properties are on the opposite side of the Mancunian Way.

Description of Development

The proposal seeks the installation of 1.8-metre-high fence to site boundary together with vehicular and pedestrian access gate, cycle storage, and associated landscaping.

Relevant Planning History

133498/FO/2022 - Erection of an external bin store.
Refused 29 June 2022.

Consultations & Notification Responses

Highway Services - Requested that condition be added regarding cycle parking demands.

Environmental Health - Had initial concerns about the amount of general waste storage being proposed as opposed to recycling. Discussions were had with the applicant and more recycle storage was agreed.

MCC Flood Risk Management - Requested that informative be added regarding drainage system.

Greater Manchester Police - No response received.

Transport for Greater Manchester - No response received.

Publicity - Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received due to this publicity.

Policy

The main issues for consideration relate to the impact of the proposals on the amenity of surrounding occupiers, the impact on the character and appearance of the area and existing building. The main policies that relate to the proposal are Policies SP1 (Spatial Principles), CC1 (Primary Economic Development Focus (City Centre and Fringe), CC9 (Design and Heritage), CC10 (A Place for Everyone), H1 (Overall Housing Provision), H12 (Purpose Built Student Accommodation) T1 (Sustainable Transport), T2 (Accessible Areas of Opportunity and Need), EN1 (Design Principles and Strategic Character Areas, EN16 (Air Quality), EN19 (Waste) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and 12 (Achieving Well Designed Places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework (NPPF).

Issues

Principle

It is accepted that the principle of the installation of 1.8-metre-high fence to site boundary together with vehicular and pedestrian access gate, cycle storage and associated landscaping to form external waste storage area is considered necessary in order to make sure there will be sufficient waste management facilities going forward to store the waste on site.

In considering the proposal for approval, the issues of waste management, visual amenity, cycling provision, and access must be taken into account.

Waste Management

The waste management situation on the site has not been acceptable. The waste bins have been stored on the public highway for a significant period of time. This proposal will see a

returned use to the secure and purpose-built area that was originally intended to be used for waste storage on the original application for the construction of this purpose-built student accommodation.

Whilst there were concerns about the low amount of bin storage on site, the applicant has confirmed that they will be arranging for private collections to take place five times a week in order to ensure that there is no overflowing of waste. A legal agreement has been reached between the City Council as the Local Planning Authority and the applicant to confirm this.

Visual Amenity

The proposal is considered to improve the visual amenity of the area. The area in question is currently bland in design, and as the main entrance to the PBSA, an uplift in the appearance of the area is supported. There will be an appropriate, simple, high quality boundary fence that will be accompanied by similarly becoming landscaping, which will improve the overall appearance of the area in question. The proposal is considered to be significantly better than the erection of an external bin store proposed under the refused application 133498/FO/2022.

Cycling Provision

The area originally intended to be used as the bin store under the original application for the construction of the PBSA, has been utilised for cycle storage in recent years. In order to facilitate a return to this area being used as a bin storage area, an adequate amount of cycling provision has been provided as a part of this proposal. This will be located in the main courtyard area of the PBSA. The cycling provision has been signed off as being in a secure enough area by Secured by Design at Greater Manchester Police.

Access

The proposal will provide more secure access to the PBSA itself and the bin storage area. Currently, occupants have to come out of the gated area to either access the bins on the public highway, or to access the area currently being used for cycle storage. The increased secure boundary area will provide safe and secure access to the proposed bin storage area and will provide safe and secure access to the cycling provision. There will be level access across the proposed area.

Conclusion

Given all of the above, it is considered that the proposals are acceptable in accordance with the relevant policies listed above and therefore should be approved.

Legal Agreement

A Section 106 agreement has been agreed between the applicant and the City Council as the Local Planning Authority in order to make sure that private collections of the waste are undertaken five times a week by the applicant. The proposed numbers of bins were not considered to be adequate for the numbers of occupants in the purpose-built student accommodation, but there is also not an ample amount of available space to place anymore bin storage. It is for these reasons that this legal agreement has been arranged.

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: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, this has included discussions about the boundary treatments of the development, making sure that all bins will be stored inside, discussions in relation to the cycle storage proposals, and the agreement of an accompanying Section 106 agreement. In this case, agreements have been found to ensure the approval of this application.

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

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:

Received by the City Council as Local Planning Authority on 23 March 2023:

Waste Management Proforma

Received by the City Council as Local Planning Authority on 14 June 2023:

Swept Path Analysis

Received by the City Council as Local Planning Authority on 31 October 2023:

Proposed External Courtyard Area Plan DR-A-PL-04-003 P18

Proposed External Courtyard Elevations and Sections DR-A-PL-04-005 P07

Proposed Site Plan DR-A-PL-04-001 P11

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

4) (a) Notwithstanding drawing DR-A-PL-04-003 P18 Rev P13 received by the City Council, as Local Planning Authority, on the 31 October 2023, prior to the first use of this development, details of hard and soft landscaping treatments (including tree planting, boundary treatments and appropriate samples of materials of hard landscaping) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first use 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 that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

5) The cycle spaces, as indicated on drawing Proposed External Courtyard Area Plan 136496/FO/2023, received by the City Council as Local Planning Authority on the 31 October 2023, shall be implemented within three months of the decision date of this application and they shall be retained and maintained in situ for as long as the development remains in use.

Commencing from the decision date of this Planning Permission, the number of cycle spaces shall be reviewed annually as part of the travel plan requirements of condition of this planning permission.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures and air quality pursuant to policies SP1, T1, T2, EN14 and DM1 of the Manchester Core Strategy (2012).

6) No loading or unloading shall be carried out on the site outside the hours of:

07:30 to 20:00, Monday to Saturday,
10:00 to 18:00, Sunday/Bank Holiday.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

7) The approved scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within drawing DR-A-PL-04-003 P18 dated 21 October 2023 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

Informatives

1) If not already in place, the applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Transport For Greater Manchester

Flat 50, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 37, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 33, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 18, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 10, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Unit 1, New Medlock House, Chester Street, Manchester, M15 6DD
New Medlock House, Chester Street, Manchester, M15 6JX
Flat B24, New Medlock House, Chester Street, Manchester, M15 6JY
Flat A18, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F155, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F150, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F148, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F146, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F140, New Medlock House, Chester Street, Manchester, M15 6JX
Flat E115, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E111, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D93, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D87, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D85, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D82, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat C77, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B48, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B45, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B25, New Medlock House, Chester Street, Manchester, M15 6JY
Flat A9, New Medlock House, Chester Street, Manchester, M15 6JX
Flat A5, New Medlock House, Chester Street, Manchester, M15 6JX
Flat 186, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 181, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 157, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 151, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 147, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 146, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 131, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 129, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 113, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 105, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 180, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 171, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 155, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 142, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 140, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 93, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 73, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 64, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 56, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 31, Parkway Gate, 50 Chester Street, Manchester, M15 6JE

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Flat F156, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F145, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F143, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F136, New Medlock House, Chester Street, Manchester, M15 6JX
Flat E129, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E128, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D88, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat C78, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C76, New Medlock House, Chester Street, Manchester, M15 6JY
Flat A19, New Medlock House, Chester Street, Manchester, M15 6JX
Flat B36, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B39, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B46, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C64, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C63, New Medlock House, Chester Street, Manchester, M15 6JY
Flat 177, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 174, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 173, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 167, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 166, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 163, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 161, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 158, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 130, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 122, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 118, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 91, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 172, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 83, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 82, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 41, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 38, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 32, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 4, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 74, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 67, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 76, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat E122, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat C66, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C59, New Medlock House, Chester Street, Manchester, M15 6JY
Flat 1, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Downing Developments, Wilmott Street, Manchester,
Flat F153, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F151, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F149, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F144, New Medlock House, Chester Street, Manchester, M15 6JX
Flat F132, New Medlock House, Chester Street, Manchester, M15 6JX
Flat E126, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E109, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E102, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D89, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat B49, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B44, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B41, New Medlock House, Chester Street, Manchester, M15 6JY

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Flat E123, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E119, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E117, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E112, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat E101, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D97, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D94, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D83, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat D79, New Medlock House, Chester Street, Manchester, M15 6JZ
Flat C73, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C70, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C68, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C67, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C57, New Medlock House, Chester Street, Manchester, M15 6JY
Flat C56, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B50, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B43, New Medlock House, Chester Street, Manchester, M15 6JY
Flat B27, New Medlock House, Chester Street, Manchester, M15 6JY
Flat A8, New Medlock House, Chester Street, Manchester, M15 6JX
Flat A4, New Medlock House, Chester Street, Manchester, M15 6JX
Flat A10, New Medlock House, Chester Street, Manchester, M15 6JX
Flat A20, New Medlock House, Chester Street, Manchester, M15 6JX
Flat 182, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 178, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 150, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 149, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 148, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 144, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 138, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 125, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 117, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 106, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 92, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 77, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 71, Parkway Gate, 50 Chester Street, Manchester, M15 6JE
Flat 60, Parkway Gate, 50 Chester Street, Manchester, M15 6JE

Appendix 2 – Planning constraints

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