
Appeal Decision

Hearing held on 22 March 2016

Site visit made on 23 March 2016

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 May 2016

Appeal Ref: APP/B4215/W/15/3136755
494 Wilmslow Road, Manchester, M20 3BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Britannia Homes (GB) Limited against the decision of Manchester City Council.
 - The application Ref: 107434/FO/2014/S1 dated 17 November 2014, was refused by notice dated 8 July 2015.
 - The development proposed is "erection of a four-storey building including 250sqm ground floor (Class A1/A2) use and three upper levels comprising a total of 25 No key-worker residential units (Class C3) (20 No one-bedroom, 2 No two-bedroom and 3 No studio apartments)".
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a four-storey building including 250sqm ground floor (Class A1/A2) use and three upper levels comprising a total of 25 No key-worker residential units (Class C3) (20 No one-bedroom, 2 No two-bedroom and 3 No studio apartments) at 494 Wilmslow Road, Manchester, M20 3BG in accordance with the terms of the application Ref: 107434/FO/2014/S1 dated 17 November 2014, subject to the conditions set out in the attached Schedule.

Procedural Matters

2. Prior to determination of the application a number of revised plans were submitted in an attempt to address the Council's concerns regarding the design and materials of the proposed building. Interested parties were re-consulted accordingly and I have considered the appeal on the basis of the revised plans.
3. The description of the proposed development given on the application form refers to ground floor retail use. However, as the proposed ground floor use covers both Class A1 (shops) and Class A2 (financial and professional services) I have amended the description of the proposed development to reflect this.

Main Issues

4. I consider there are two main issues in this case:
 - Whether the proposal would result in increased pressure for parking on the surrounding streets, and if so whether it would be harmful to highway safety and the living conditions of local residents.

- The effect of the proposed development on the special architectural and historic interest of the adjacent Grade II listed building, and on the character and appearance of the Withington Conservation Area.

Background

5. There is a lengthy planning history associated with the appeal site, of which I summarise the most relevant elements below. This planning history, including a recent appeal decision, is a relevant material consideration to which I will return to in my reasoning.
6. In March 2003 planning permission was granted for a five-storey mixed development with 4 ground floor retail units, 17 flats above, and some basement parking¹. A feature of the scheme was a prominent 'leaning tower' close to the corner of the building. Conservation area consent was granted at the same time for the demolition of the former cinema², although it was not finally demolished until 2008.
7. There is a dispute between the appellant and the Council over whether the 2003 scheme could be implemented in accordance with the approved plans due to errors on the various drawings which were relied upon. This is questioned by the appellant, who says the approved development is valid as a start has been made on site to implement the permission. In any event, whether that permission can be lawfully implemented or not is not a matter before me. Therefore, and irrespective of its legal status, I can only afford this earlier permission very limited weight as a fall back position, particularly as there appear to be valid concerns that it may not be capable of being implemented in its approved form.
8. Suffice it to note that the Council have previously approved a significantly larger mixed residential/retail use scheme on the site; and although it was considered under a different policy regime, the same issues relating to the setting of the adjacent listed building, the character and appearance of the conservation area, and parking concerns applied. Therefore, it is fair to say that the earlier scheme represents a benchmark of what the Council considered an acceptable redevelopment of the site at the time.
9. A subsequent proposal application for a six-storey building comprising retail units, 17 flats and 12 parking spaces at mezzanine level was dismissed on appeal in 2009³. The Inspector on that occasion concluded that the proposal would be detrimental to the setting of the adjacent listed building and would harm the character and appearance of the conservation area.

Reasons

10. The proposed development is for a four-storey building, including ground floor retail use and three upper floors comprising a total of 25 No key-worker flats.
11. The appeal site although now vacant though was formerly occupied by the Scala Cinema (latterly Cine City), which was closed in 2001 and was finally demolished in 2006. It is in the Withington Conservation Area and adjacent to a grade II listed building (formerly the White Lion) which has recently been

¹ 066797/FO/SOUTH1/02

² 066810/CC/SOUTH1/02

³ APP/B4215/A/08/2085547

converted to a convenience store with flats above. The frontage to Wilmslow Road features are two listed stone piers which continue across the White Lion forecourt. The Withington District Centre extends along both sides of Wilmslow Road and incorporates part of Copson Street to its junction with Hill Street. It contains a wide variety of retail and commercial premises supporting district centre and community uses, with some residential use on upper levels.

12. Notwithstanding other considerations, the Council has raised no objections in principle to a mixed residential/retail use, and this would satisfy a number of policies in the *Manchester Core Strategy Development Plan Document 2012-2027* (CS). I also note that the *Withington Village Action Plan 2010-2020* identifies the site as a strategically important development site and highlights that it has potential for a mixed use development.

The parking issue

13. CS Policy T1 states that in order to encourage modal shift away from car travel, the Council will support proposals that improve choice by developing alternatives to the car. CS Policy T2 states that all new development in District Centres will provide 'appropriate' parking facilities, taking into account the guidance in CS Appendix B. The policy makes it clear that the Council will take the circumstances of each case into account to establish what level of parking is appropriate. Appendix B sets out the acceptable parking provision for A1/A2 uses, although these are given as a maximum, subject to the accessibility of a particular site. No residential parking standards are included in Appendix B.
14. As no on-site parking is proposed as part of the development, and the Council considers this would result in residents of the flats and staff/customers of the A1/A2 unit having to 'trawl' the surrounding streets looking for a free parking space. The Council considers this would worsen levels of parking stress in the area; add to congestion, and cause more conflict between pedestrians, cyclists and vehicles. The Council is also concerned that there would be a harmful impact on road safety if vehicles park illegally in controlled areas (particularly at street intersections).
15. There is no on-street parking in front of or immediately adjacent to the site on Wilmslow Road or Copson Street. However, there are stretches of unrestricted parking in a number of nearby streets including Morris Street, Hill Street and Strathblane Close, and the Gledhill Street public car park.
16. There is disagreement between the main parties concerning the level of parking stress in the surrounding area. On-street parking is severely restricted in that part of Wilmslow Road close to the site and in Copson Street. However, there are stretches of unrestricted parking in a number of nearby streets including Morris Street, Hill Street, Strathblane Close, and the public car park at Gledhill Street.
17. The appellant has carried out three parking surveys in the immediate area (on a neutral weekday in school term time in the evening and overnight. These show that there were between 87 and 93 available car parking spaces on the surrounding streets and in Gledhill Street car park, within a few minutes walk of the site. I also took the opportunity to informally survey the parking situation on two occasions, in early evening and mid-morning, and noted that a reasonable number of parking spaces were available, particularly away from

the main shopping areas. However, the Council says the appellant's surveys cannot be wholly representative as there is greater demand for parking during the day time due to additional pressure from shoppers and employees of the local businesses. At the hearing the Council said its own surveys concluded that far fewer free parking spaces were generally available than claimed by the appellant. However, these surveys were not provided as part of the appeal documentation and as such I cannot take them into account.

18. Overall, whilst I accept that there is very considerable pressure for parking on the surrounding streets and the Gledhill Street car park, I am not persuaded by the evidence before me that it has reached a critical 'saturation' point.
19. I consider it would be wrong to presume that the proposed development would automatically result in increased car ownership and visitor traffic to the area. The site is located at the hub of a busy district centre in a highly sustainable location which is particularly well-served served by public transport with many frequent bus services using the radial corridor along Wilmslow Road. As such it is a reasonable assumption that a high percentage of future residents of the flats and staff employed by the A1/A2 use would walk, cycle or use the bus services to access work/home.
20. The target market for the proposed flats is key workers and young professionals who would be likely to be attracted to such small and relatively affordable units in an accessible location. There are many employment opportunities in the area, and the site is only 500m from the Christie Hospital which is a major employer of key workers in the area. Indeed, the appellant has entered into a dialogue with the Christie Hospital and has received feedback that the proposed flats would be of interest to their medical and auxiliary staff. I also note that local residential agents have confirmed that the development would fit in well with local demand as there is a shortage of this type of accommodation in the area.
21. In any event, the size and nature of the flats is such that it would be very unlikely to be attractive to family occupiers with children who would be far more likely to need a car for many daily activities.
22. To further reduce the need for car ownership the scheme makes provision for 14 shared bicycles which would be provided by the developer and made available for residents. In addition it is proposed to provide a Car Club car parking space on the building's forecourt and initial membership of the Car Club scheme for residents. The Car Plus Annual Survey (Steer David Gleave 2014) sets out the benefits of car clubs in detail, particularly in respect of carbon reduction and improving air quality. It notes that they tend to prosper in urban areas where most trips can be made by walking, cycling or public transport, and in areas with a high proportion of young professionals. These characteristics are evident in the Withington area and I am satisfied that these measures would further reduce the potential of the scheme to add to parking pressure in the area. A Travel Plan (which can be secured by condition) would also promote travel by means other than by private car.
23. I accept that the proposed A1/A2 unit would be suitable for an additional shop and/or professional service occupier to cater for local residents and passing foot trade. It would be unlikely to attract a 'destination' tenant due to its size, location, and lack of off-street parking.

24. Overall, and based on the size of the flats, the sustainable location, and the proposed mitigation measures, I consider the additional demand for parking is likely to be modest and capable of being absorbed into the surrounding streets and car park where some spare capacity exists. Paragraph 32 of the *National Planning Policy Framework* (the Framework) says development should only be prevented on transport grounds where the cumulative impacts would be severe. In this case I consider the impact would be modest, and conclude on this issue that the proposal would not lead to a significantly increased demand for parking in the surrounding area. Consequently there would be no material harm to road safety and the living conditions of existing residents. As such, I find no conflict with CS Policies T1, T2 and DM1, and the Framework.
25. In reaching my decision I note that the Council has recently granted permission for a mixed use development directly opposite the appeal site on the corner of Wilmslow Road and Parsonage Road, and this too has no on-site parking⁴. Although significantly smaller in scale (seven flats and a commercial unit), parking in the surrounding streets is similarly constrained, and serves to demonstrate that the Council is prepared to support developments without dedicated parking in this highly accessible district centre location.
26. The Council has also suggested that it would be both possible and desirable to incorporate some parking within the building. However, I note from the financial evidence that an internal car park could only be incorporated at prohibitive cost. This, in turn, would increase the unit cost of the flats and would impact on the appeal of the flats to key workers and the tenant base being targeted. Furthermore, the need to incorporate an access ramp would also reduce the available A1/A2 floor space, reduce potential income, and make the scheme less attractive to an anchor retail tenant.
27. Nor am I convinced that approval of the scheme would result in significant harm to highway safety arising from residents and visitors parking illegally in areas which are likely to cause obstruction or hinder visibility. In any event, enforcement measures are available to control such indiscriminate parking.

The listed building and conservation area issue

28. Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* sets out the statutory approach and states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In relation to listed buildings, Section 66(1) of the *Act* says special regard shall be given to the desirability of preserving the building or its setting, or any features of architectural or historic interest which it possesses. Saved Policies DC18.1 and DC19.1 of the *Manchester Unitary Development Plan* (UDP) are consistent with this test. Similarly CS Policy EN3 says new developments must be designed to preserve or, where possible, enhance the historic environment, including the character, setting and accessibility of listed buildings and conservation areas.
29. Paragraph 132 of the Framework says when considering the impact of a proposal on the significance of a heritage asset, great weight should be given to that asset's conservation. It goes on to say that significance can be lost through alteration or destruction of the heritage asset, or by development within its setting.

⁴ 109580/FO/2015/S1

30. The significance of the former White Lion, apart from its impressive Victorian gothic architecture and rich detailing derives much from its prominent position at a busy main road junction. It has importance as a landmark feature and as a gateway to the Withington District Centre. Although the appeal site originally formed the garden to the White Lion this was short-lived, and its present vacant state gives a false sense of openness to the setting of the White Lion as it was occupied by the cinema for almost a century. This was a building of different scale and proportions to the White Lion and in a totally contrasting style and made little or no attempt to respect its setting.
31. The significance of the conservation area derives from its mixture of building types which have established the primarily Victorian commercial heart of Withington. Along Wilmslow Road in particular the variety of architectural styles and the varied scale of the buildings give the conservation area its distinctive appearance and character, although several examples of modern infill developments and unsympathetic shop fronts and fascias can be found.
32. The Council accept that the scale, height, mass and materials of the proposed building (as revised) are appropriate in this location, and this is set out in the Statement of Common Ground (SoCG). It is also agreed between the parties that the design of the proposed building should respect the prominence of the White Lion in the street scene, and not be visually dominant.
33. However, the Council says the proposed building, with its flat-roofed design and boxy appearance, would contrast unfavourably with the listed building, causing harm to the most identifiable building within the conservation area. It also considers both the Wilmslow Road and Copson Street elevations would be overly horizontal in proportion and lack the verticality found in the White Lion and elsewhere in the conservation area. However, whilst the White Lion has a strong vertical emphasis this largely arises from its prominent corner tower and deep gothic-style windows. Elsewhere in the conservation area, even where the frontages are narrow, there is no particularly strong vertical emphasis in my view. What is more apparent is the considerable variety of scale and proportions to the various buildings.
34. The proposed building would occupy a very similar footprint to the former cinema, and would be of similar height and mass. It would also be lower than the approved 2003 scheme and without the competing and dominant corner tower which was such a notable feature of that scheme. To my mind the design of the building would reduce its apparent mass through the use of appropriate materials, by setting back the top floor, and breaking down the elevations (particularly to Copson Street) into smaller sections and blocks.
35. Overall, I consider the proposed building would respect the historic urban grain of development in the area, and would ensure that important views towards the White Lion (and the primary importance of that building in the street scene) would not be harmed.
36. Taking all these matters together, I consider the proposal would preserve the setting of the adjacent Grade II listed building. For the same reasons the character and appearance of the Withington Conservation Area would be preserved, causing no harm to the significance of any of these heritage assets. As such, I find no conflict with CS Policy EN3, saved UDP Policies DC18.1 and DC19.1, and the Framework.

Other matters- previous appeal

37. I have reached a different decision from the Inspector who considered the previous appeal relating to an earlier redevelopment proposal⁵. However, this decision does not create a precedent and is not binding on other Inspectors who must make their decision based on the evidence before them. There are significant differences as it related to a scheme that was significantly larger than that before me, being almost 4m higher than the main roof level of the White Lion. It also incorporated a corner tower and a plant room, both of which would have extended above roof level.

Overall planning balance

38. Paragraph 7 of the Framework identifies a three-stranded definition of sustainable development based on economic, social and environmental factors. There would be significant economic benefits arising from the construction and subsequent occupation of the development, additional support for local employment and services, and the provision of 25 residential units for key workers would represent an important social benefit.
39. There would be no material environmental harm arising from impact on the setting of the adjacent listed building and the character and appearance of the conservation area, and indeed the development would bring back into beneficial use a prominent vacant site within the district centre. I have also concluded that the proposal would not lead to a significantly increased demand for parking in the surrounding area.
40. Consequently, when viewed in the round, I find that the proposal would represent a sustainable form of development. Furthermore, no adverse impacts have been identified that would significantly and demonstrably outweigh the benefits of the proposal.

Unilateral Undertaking

41. A planning obligation in the form of a Unilateral Undertaking (UU) under Section 106 of the *Town and Country Planning Act 1990* has been submitted which would come into effect if planning permission were granted. Paragraph 204 of the Framework says planning obligations must be necessary to make the development acceptable in planning terms, and be fairly and reasonably related to it in scale and kind. As the development is also chargeable development, the obligation needs to satisfy the corresponding tests in Regulation 122 of the *Community Infrastructure Regulations 2012* (CIL).
42. As set out in CIL Regulation 123(3), following the end of a transitional period on 6 April 2015, a planning obligation may not constitute a reason for granting permission where five or more separate planning obligations have been entered into since that date which already provide funding or provision of an infrastructure project or type of infrastructure. However, since none of the provisions of the UU relate to the funding or provision of infrastructure, Regulation 123 (3) is not engaged in this case.
43. The 1st covenant of the UU states that in the event that the scheme does not make provision for an off-street car club parking space, the Council will be paid the Car Club contribution prior to the first occupation of the flats. On this

⁵ Ref: APP/B4215/A/08/2085547

basis, and given my conclusion regarding the mitigation offered by Car Club membership, I am satisfied that this provision is necessary to make the proposal acceptable in planning terms, and meets the tests in Regulation 122.

44. The 2nd covenant says a Residents Parking Area (RPA) contribution (£5,000) will be paid for the purposes of funding a Traffic Regulation Order to facilitate the provision of a RPA in the streets surrounding the site, and the 3rd covenant says leases for the proposed flats will be drafted to prevent occupiers applying for a residents parking permit for the proposed RPA. The 4th covenant carries through this restriction to apply to subsequent occupiers. However, it emerged at the Hearing that there were no immediate plans to introduce a new RPA in the streets surrounding the site (or extend the adjacent Christie RPA). Such a process would be subject to extensive consultation of local residents and other stakeholders, and cannot be dealt with in the context of this appeal. As such, these provisions of the UU are neither reasonable nor necessary to make the development acceptable in planning terms, and fail to meet the relevant tests in Regulation 122.
45. The 5th covenant would ensure that the marketing clearly indicates that there would be no dedicated parking for the flats, and the 6th says the flats would be offered in the first instance to employees of and/or visiting staff to the Christie Hospital. On this basis, and given my conclusion regarding the aim to make the development particularly attractive to non-car owners/users, I am satisfied that these provisions of the UU are necessary to make the proposal acceptable in planning terms, and meet the tests in Regulation 122.
46. In the light of these findings, since the obligation to fund a proposed RPA (2nd covenant) and those preventing future occupiers from applying for parking permits in the proposed RPA (3rd and 4th covenant), all fail to meet one or more of the tests in Regulation 122, I am unable to take these obligations into account in determining the appeal. However, I give substantial weight to the obligation relating to Car Club Scheme membership (1st covenant); that concerning the marketing of the development (5th covenant); and that to ensure that the flats are offered in the first instance to employees of the Christie Hospital (6th covenant).

Conditions

47. The Council has put forward a list of suggested conditions, most of which have been agreed in the SoCG, and I have considered these with regard to the *Planning Practice Guidance* (PPG). In addition to the standard 3-year time condition for commencement of development, a condition is needed to secure compliance with the (revised) plans for the avoidance of doubt. Conditions requiring the submission and approval of materials and details of any roller grilles or shutters are needed in the interests of the appearance of the area.
48. Even though a desk top survey has been carried out, a condition requiring a site investigation to check for the possible presence of ground contamination and implementation of any subsequent mitigation measures is justified given the history of the site, although I favour a modified wording. A condition has been put forward to control permitted changes of use from Class C3 (dwellinghouses); the Council saying this is needed to control conversion of the flats to homes in multiple-occupation. However, as only three flats would have more than one bedroom, the need for such a condition has not been adequately justified in my view. Therefore, I shall not impose it.

49. Conditions to control the various site operations are necessary in order to protect the living conditions of nearby residents during the construction period, although these can more effectively be dealt with through the submission and implementation of a Construction Method Statement.
50. The 'secure by design accreditation' condition is necessary in the interests of reducing the risk of crime in the development and to protect the living conditions of residents, as are those relating to external lighting and the storage and disposal of refuse.
51. The Council initially put forward a condition suggesting that opening hours of the A1/A2 unit be agreed in writing at a later stage. However, hours of 07.30-20.00 Mondays to Saturdays and 10.00-20.00 Sundays/ Bank Holidays have now been put forward. The appellant says the adjacent convenience store (which also has flats above) can open from 07.00-23.00 on any day. Bearing this in mind, it would be unduly onerous and unreasonable to impose significantly more restrictive opening hours, and shall impose a condition which reflects the opening hours permitted in the decision notice for the adjacent store (although I accept that these may have been since varied). Such a condition is necessary to protect the living conditions of occupiers of the flats within the development, as it that controlling the delivery times.
52. Details for the restoration of the stone piers fronting the site and improvements to the pavements on the street frontages are needed in order to enhance the character and appearance of the conservation area.
53. A Travel Plan for the development is necessary to promote the use of non-car modes of transport, as for the same reason is the condition relating to membership of the City Car Club.
54. The condition requiring the submission of noise insulation details for the flats fronting Wilmslow Road is needed in order to protect the living conditions of future occupiers, as is a condition to control the opening hours of the ground floor unit. The condition requiring obscure glazing to the bedroom windows of some of the west-facing units is necessary to protect the privacy of nearby residents. Approval of a scheme for the reduction of noise and for the acoustic treatment of any externally mounted equipment is necessary to minimise the impact of the development and to secure a reduction in noise levels emanating from the site.
55. The Council has put forward a condition requiring the submission of an environmental standards statement and a post construction review certificate. This is justified in order to minimise the environmental impact of the development and to accord with Council policy.

Conclusion

56. Therefore, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Nigel Harrison

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1500 P(001) Red Line Plan; 1500 P (002 Rev A) Site Plan; 1500 P (003 Rev B Context Plan; 1500 P (100) Rev N Ground Floor; 1500 P (101 Rev H) First Floor; 1500 P (102 Rev G) Second Floor; 1500 P (104 Rev H) Third Floor; 1500 P (105 Rev E) Roof Plan; 1500 P (200 Rev H) Elevations North and South; 1500 P (2011 Rev G) Elevations East and West; 1500 (300 Rev B) Section.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of any roller shutters or security grilles to be installed within the development shall be submitted to an approved in writing by the local planning authority. Shutters and grilles (if used) should be colour-coated and of an open grille form, with the housing for the mechanism recessed behind the plane of the wall where the mechanism is to be located. The development shall be carried out in accordance with the approved details.
- 5) Any roller shutter or grille on the frontage of the ground floor unit(s) shall be kept open from 0900 until the business closes in the evening.
- 6) (i) No development shall take place until a site investigation of the nature and extent of any contamination of land or pollution of controlled waters has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigations shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

(ii) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the additional measures.
- 7) No development shall commence until details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall not be occupied until the local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

- 8) Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the development hereby permitted begins. The development shall be carried out in accordance with the approved details before any of the flats is occupied.
- 9) If any lighting at the development approved in accordance with condition 8) above causes glare or light spillage which, in the opinion of the local planning authority would harm the living conditions of the occupiers of nearby properties, details for the elimination of such glare or light spillage shall be submitted to the local planning authority within 14 days of a written request. The approved scheme shall thereafter be retained in accordance with the approved details.
- 10) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
 - i) Measures to be taken to prevent mud/debris being deposited on the public highway.
 - ii) Measures for the storage of waste during the construction period.
 - iii) The provision to be made for plant noise emanating from the site.
 - iv) Details for the display of a contact number for the developer during the construction period.
- 11) No deliveries, loading, unloading, servicing or collections (including waste collections) shall be taken at or despatched from the site outside the hours of 07.30-20.00 Monday to Saturday, nor at any time on Sundays, Bank and Bank Holidays.
- 12) The ground floor Class A1/A2 unit hereby permitted shall not be open to customers outside the following times: 07.00 - 23.00 Monday to Saturday and 08.00-20.00 Sundays and Bank Holidays.
- 13) No development shall commence until detailed drawings showing a scheme for the storage and disposal of refuse (including segregated waste recycling) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 14) No development shall take place until details of the repair and restoration works to be undertaken in respect of the Grade II listed stone piers fronting onto Wilmslow Road shall be submitted to and approved in writing by the local planning authority. The details shall include a full schedule of works and a timetable for implementation of the works.
- 15) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the local planning authority. The approved space and facilities shall then be retained and reserved as bicycle parking for occupiers of the development.
- 16) No development shall take place until full details of hard landscaping ground works to be undertaken in respect of improvements to pavements fronting Copson Street and Wilmslow Road have been submitted to and approved in writing by the local planning authority. The details shall include a full schedule of works and a timetable for implementation of the works.

- 17) Prior to the implementation of any of the above ground works an Environmental Standards Statement shall be submitted to and approved in writing by the local planning authority. A post construction review certificate/statement shall be submitted for approval to the local planning authority within a timescale that has previously been agreed.
- 18) A Travel Plan with the object of reducing travel to and from the development by private car shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any of the dwelling units hereby approved, and shall include details of public transport accessibility and the development cycle scheme. The approved Travel Plan shall be brought into operation not later than six months following occupation of 25% of the residential units.
- 19) Before any of the dwelling units hereby permitted is occupied, details of the methods to promote car-sharing and membership of the City Car Club (or similar) shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt this shall include the location of such facilities and methods to promote their use. The approved details shall be implemented and made available to residents prior to the first occupation of the development, and thereafter retained.
- 20) No development shall take place until a scheme for acoustically insulating the residential units against noise from Wilmslow Road has been submitted to and approved in writing by the local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including nearby commercial properties. Noise survey data must include measurements taken during early morning rush-hour periods and night-time to determine the appropriate sound insulation measures necessary.

The required noise criteria are as follows:

Bedrooms (night-time 23.00–07.00) 30dB LAeq

Living rooms (day-time – 07.00–23.00) 40dB LAeq

Balconies (day-time – 07.00–23.00) 55dB LAeq

The approved noise insulation scheme shall be completed before any of the units facing Wilmslow Road is occupied.

- 21) No development shall take place until a scheme to secure a reduction in the level of noise emanating from the site has been submitted to and approved in writing by the local planning authority, and all works which form part of the scheme shall be completed before any part of the development is occupied.
- 22) Externally mounted ancillary plant, equipment and servicing shall be selected and /or acoustically treated in accordance with a scheme to be designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.
- 23) No development shall take place until a scheme for the extraction of any fumes, vapours and odours from the ground floor Class A1/A2 unit(s) hereby approved has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first occupancy of the unit(s).

- 24) Before the first occupation of the residential units 1H, 2H and 2J shown on Plans 1500 P (101 Rev H) and 1500 P (102 Rev G) a scheme to provide obscure glazing to the bedrooms of those units shall be submitted to and approved in writing by the local planning authority, and the agreed scheme shall be implemented and retained as such thereafter.

(End of conditions)

APPEARANCES

FOR THE APPELLANT:

Paul Tucker QC	of Counsel: Kings Chambers
Bill Davidson	P4 Planning
Michael Kirching	SK Transport Planning
Greg Beale	Planning Heritage
Ray Makin	Atelier MB Ltd
Awais Shahid	Britannia Homes (GB) Limited

FOR THE LOCAL PLANNING AUTHORITY:

Chris Tsompani	Manchester City Council
Jennifer Connor	Manchester City Council
Paul Mason	Manchester City Council
David Smith	Manchester City Council
Mumiza Usmani	Manchester City Council

INTERESTED PERSONS:

Cllr Chris Paul	Manchester City Councillor
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DOCUMENTS

- 1 Final Statement of Common Ground and suggested conditions
- 2 Letter and enclosed petition and Civic Society response in support of scheme sent from Bill Davidson of P4 Planning to Cllr Watson and members of Planning Committee
- 3 Completed Unilateral Undertaking (received after the hearing)
- 4 Further suggested planning conditions (received after the hearing)

PLANS

A P(002) and P(003)