



Paul Butler Associates

Planning, Development & Heritage Consultants

26 August 2021

Mrs Julie Roscoe
Head of Planning
Manchester City Council
Town Hall
Albert Square
Manchester
M60 2LA

17.1170

FAO Angela Leckie

Dear Mrs Roscoe,

Hilton House, 26-28 Hilton Street, Manchester, M1 2EH

Submission of Retrospective Planning Application for Installation of External Air Conditioning units

On behalf of our client, HHNQ Ltd, please find attached a retrospective planning application for the installation of external air conditioning units at Hilton House. The air conditioning has been installed to serve the gym within the basement of the building. Unfortunately the requirement for planning permission for the air conditioning units was not appreciated at the time of installation therefore the application is made on a retrospective basis.

This covering letter is provided in support of the application proposal. The letter provides a description of the application site/surrounding; provides an overview of the application proposal; summarises the key planning policy context; and appraises the proposal against relevant planning policy and material considerations.

In addition to this covering letter the following other information has been submitted in support of the proposal to the Council via the Planning Portal:

- Completed Application Forms for Planning Permission and Certificates.
- Drawing PL 010 'Site Location Plan'.
- Drawing 2XX 'AC Unit Plans and Elevations'.
- 'Plant Noise Egress Assessment Report' prepared by Sandy Brown.
- The planning application fee (£234) will be paid on submission of the application to Manchester City Council by the applicant.

Appraisal

The Site and Surroundings

The Site

The application site is located at Hilton House, 26-28 Hilton Street, Manchester, M1 2EH (see figure 1 below). It is a six storey building above a basement. The building is located on the west side of Hilton Street and is bound by Port Street to the north and Tariff Street to the south. Immediately to the west

of the site is The Vaults, a former industrial building which has been converted (and extended) to apartments.

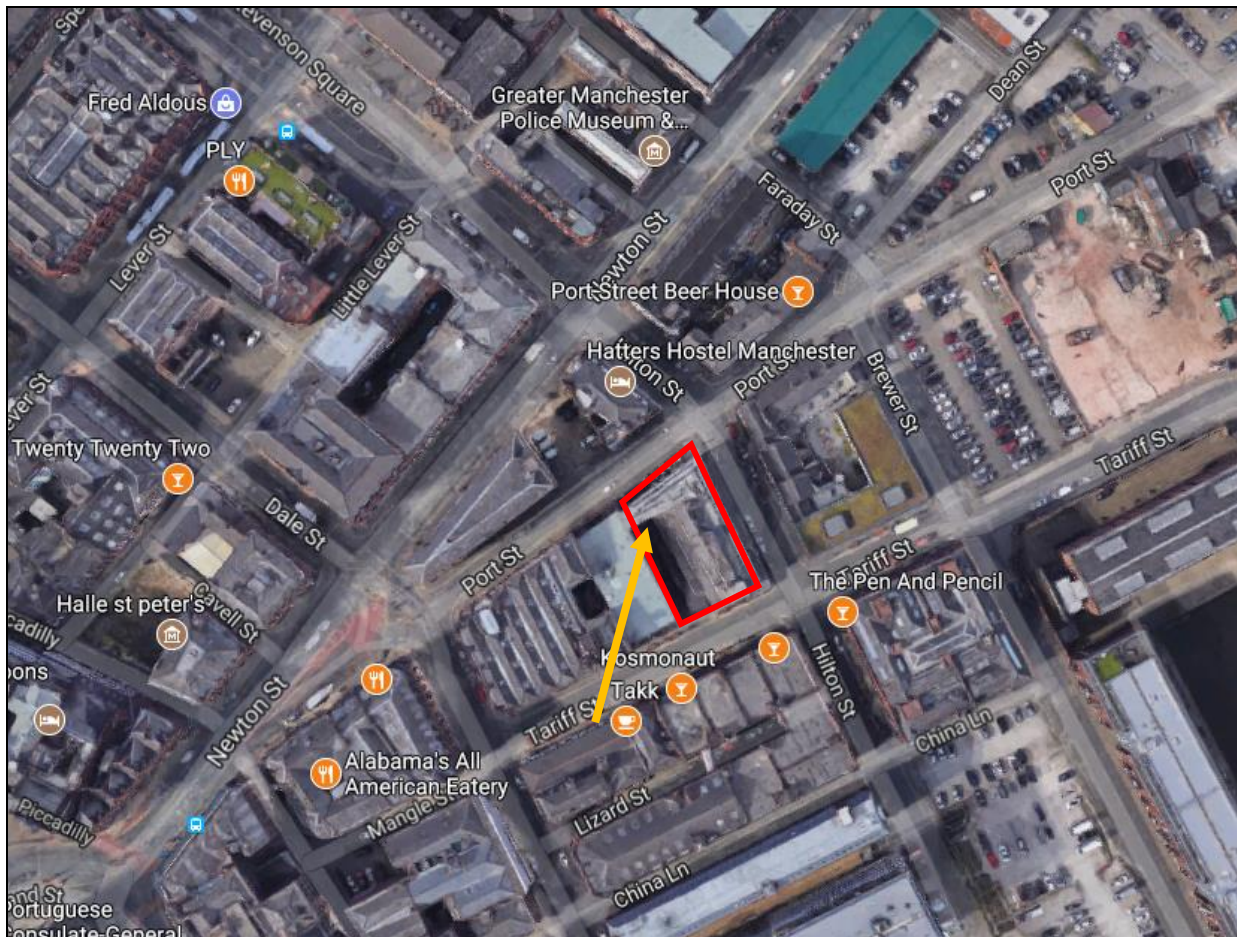


Figure 1: Aerial Photograph with Hilton House outlined red. The location of the air conditioning units is identified by the arrow.

Hilton House comprises offices on the upper floors which are accessed via a communal entrance situated on the Tariff Street/Hilton Street corner of the building. The main part of the ground floor comprises a café use currently occupied by 'Feel Good Club' which fronts Hilton Street. The building has a basement (originally built as a car park) which is to be used as a gym and which can be accessed from within the building and via the external ramp on Tariff Street. The application relates to a small area located above the ramp where three external air conditioning units have been installed to serve the gym use (see figure 1). The ramp area accommodates a number of ventilation vents and is very much a service / back of house area of the building, shielded from surrounding streets and public ally accessible areas.

Hilton House dates from the 1960s and was designed by Richard Seifert, the architect who also designed Gateway House near Piccadilly Station. It is understood that the building was built for Manchester Polytechnic's Lighting and Drama Department. The building is constructed of a concrete frame which gives it a vertical emphasis. The ground floor principally comprises the glazed 'shopfront'. The top floor (5th) is set back by approximately 1m from the Hilton Street and Port Street elevations. The Tariff Street elevation is blank and a large mural/artwork has been painted on the

wall. There is a further mural/artwork painted on a narrow part of the Port Street elevation situated adjacent to The Vaults. The building has recently been the subject of an extensive programme of refurbishment internally and externally including an extension at the rear of the building to provide additional office accommodation. These works, which have been undertaken by HHNQ Ltd, have dramatically improved the appearance of the building and its offer. The air conditioning that is the subject of this retrospective application forms part of the overall redevelopment of Hilton House.

The Surrounding Area

The site is within the Northern Quarter area of the City Centre. The area is characterised by a broad mix of uses, including offices, residential apartments, and a wide range of commercial premises including shops, bars, cafes/restaurants and offices. These businesses make an important contribution to the overall employment provision within the City Centre. Air conditioning and other ventilation requirements are commonplace for these businesses.

The site is located within the Stevenson Square Conservation Area whilst there are several listed buildings nearby.

Planning History

There is an extensive planning history associated with the site, full details of which are available on Manchester City Council's Public Access website. A series of applications have been progressed from 2018 relating to the refurbishment of the building by HHNQ Ltd. The following application is of particular interest to the retrospective application and granted consent for the gym use within the basement of the building which the air conditioning is required to serve:

122541/FO/2019 - Change of use of the basement to a gym (use class D2) and creation of new access, retention of the existing ground floor restaurant (Class A3 Use) (approved under application ref no 094485) with amendments to approved hours of operation and alterations to ventilation and fume extraction system. Regularisation of the use of the pavement adjacent to the building on Port Street for as external seating area to comprise tables and chairs associated with and ancillary to the restaurant use and external alterations comprising the removal of the existing 'shack' structure erection of pergola structure and associated external alterations to the building including new ground floor entrances (relocation of those approved under application ref no 120931), addition of roof level plant, and minor amendments to basement window and door design (approved under application ref no 120931).
Approved 13.09.2019

The Proposal

The application proposal relates to the installation of air conditioning which has been installed to serve the gym within the basement of the building. The units have been installed at the rear of the building and are situated above the ramp leading from Tariff Street down to the basement. Three units have been installed and are positioned on a small previously existing concrete ledge (see figure 2 below).

Existing and proposed drawings which identify the air conditioning units have been submitted together with a product specification. In addition a 'Basement Gym Acoustic Report' prepared by

Sandy Brown has been submitted which considers operational noise associated with the units. Unfortunately the requirement for planning permission for the air conditioning units was not appreciated at the time of installation therefore the application is made on a retrospective basis.



Figure 2: Photograph of three external air conditioning units.

Planning Policy Context

Planning policy guidance of relevance to air conditioning, and which provides the context for its assessment, is set out within the following documents:

- The National Planning Policy Framework (NPPF); and,
- The Development Plan for Manchester.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. The latest version was updated 20 July 2021. The document states that the purpose of the planning system is to contribute to the achievement of sustainable development. Of relevance to the application proposal it states that:

- The objective of sustainable development is summarised as meeting the needs of the present without compromising the needs of future generations to meet their own needs (Paragraph 7).
- So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (Paragraph 10).
- Applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise (Paragraph 47).

- Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity (Paragraph 81).
- Planning should achieve high quality design for all developments. Developments should: function well and add to the overall quality of the area; be visually attractive as a result of good architecture; be sympathetic to local character and history; and, maintain a strong sense of place (Paragraph 130).
- Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should, amongst other things, mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life (Paragraph 185).
- Advising that heritage assets are an irreplaceable resource and should be considered in a manner appropriate to their significance (Paragraph 189).
- In determining applications local authorities should require an applicant to describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance (Paragraph 194).
- Where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset this should be weighed against public benefits including securing its optimum viable use (Paragraph 202).
- The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (Paragraph 203).

The Development Plan for Manchester

The Development Plan for Manchester comprises the following documents:

- The Core Strategy Development Plan Document (July 2012);
- Saved policies of the Unitary Development Plan for Manchester (July 1995);
- Interactive Proposals Map; and
- The Guide to Development in Manchester Supplementary Planning Document and Guidance (April 2007).

The Core Strategy Development Plan Document (July 2012)

The Core Strategy, adopted in July 2012, is the key Development Plan Document against which proposals should be judged. Core Strategy objectives and policies of particular relevance to the proposed scheme include:

- Spatial Objective SO6 'Environment' seeks to protect and enhance the natural and built environment of the city, ensure the sustainable use of natural resources, and secure a high standard of design in all development proposals.
- Policy SP 1 'Spatial Principles' which states that the Regional Centre will be the focus for economic and leisure activity; and, that development should enhance/protect the built/natural environment.
- Policy CC 9 'Design and Heritage' states that development in the City Centre should preserve or enhance heritage assets, including conservation areas.
- Policy EN 3 'Heritage' sets out that new developments must be designed so as to support the Council in preserving/enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance including conservation areas.
- Policy DM 1 'Development Management' sets out various issues that development should have regard to, including: appropriate siting, layout, scale, form, massing, materials and detail; impact on the surrounding areas; and effects on amenity including noise and vibration.

Saved Policies of the Unitary Development Plan for Manchester (July 1995)

The Unitary Development Plan (UDP) was superseded by the Core Strategy. However, a number of UDP policies have been 'saved'. Extant policies contained within the UDP which are relevant to the proposed scheme include:

- Policy DC18.1 'Conservation Areas' seeks to protect, preserve and enhance the character of the city's conservation areas.
- Policy DC26 'Development and Noise' aims to minimise the adverse impact of noise on noise-sensitive developments.

Guide to Development in Manchester Supplementary Planning Document and Guidance (2007)

This document aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development that everyone wants to see in Manchester. The sections of the guide that are relevant to this application include:

- Section 1 'Creating a Sense of Place' aims to encourage the creation of places which are welcoming, inclusive, neighbourly, interesting and attractive.

- Section 2 'Design' provides guidance under 7 key principles recognised as being urban design characteristics which together create successful places.

Planning Appraisal

Having regard to the planning policy context detailed above, the key material considerations against which the retrospective planning application for air conditioning should be considered includes:

- The principle of development;
- Visual impact, design and heritage considerations; and,
- Amenity.

The principle of development

The application seeks retrospective planning permission for the retention of three external air conditioning units. Unfortunately the units have already been installed as the applicant was unaware that planning permission would be required.

The units are associated with the basement gym that was approved under planning permission 122541/FO/2019 in September 2019. The air conditioning is essential to allow the operation of the gym to regulate temperatures for clients and staff, as well contributing to air circulation / ventilation which is an important aspect of minimising potential spread of COVID-19 and other respiratory infections. Air conditioning is commonplace on buildings throughout the City Centre, being installed on concealed and secondary elevations, as per the application proposal, therefore confirming the principle of such installations. From a practical point of view the location allows for convenient servicing to take place ensuring the units are operating at their optimum performance.

Visual impact, design and heritage considerations

Although the air conditioning units have already been installed care was taken to locate them in a discrete and sensitive location. The position of the units at rear of the building at the end of the ramp leading to the basement means that they are not visible from the surrounding streetscene, in part due to the gated enclosure of the ramp at Tariff Street. The location also means that there is no impact on key views which contribute to the the character or appearance of the Stevenson Square Conservation Area.

The units are visible from within the ramp area itself as well some windows of 'The Vaults' and Hilton House itself, although these will generally be oblique view and the units are not obvious. The units are comfortably positioned on a previously existing concrete ledge area and is enclosed by built development on three sides. This characteristic means the units are viewed against the backdrop of existing building ensuring they are not visually prominent and they do not have a negative impact on visual amenity. The ramp area in general has a more back of house / service function and appearance with other ventilation louvres present. The air conditioning units are therefore an appropriate feature in this location and the discrete location avoids any impact on the principal elevations of the building or at high level which could have greater visibility from other buildings in the vicinity.

For the above reasons the air conditioning is deemed appropriate from a design and heritage perspective and is in accordance with Core Strategy Spatial Objective SO6, Policies SP 1, CC 9, EN 3 and DM1; UDP Policy DC18.1; and the Guide to Development in Manchester SPD.

Amenity

The application is supported by a 'Plant Noise Egress Assessment Report' prepared by Sandy Brown. This considers potential noise associated with the air conditioning on residential amenity. The report establishes that the nearest noise sensitive use is residential accommodation located within 'The Vaults' and sets out MCC's acoustic criteria.

Based on measurements of noise associated with the air conditioning it is concluded that the level of plant noise egress is calculated to be LAeq 42 dB. This complies with the daytime (07:00-23:00) noise egress criteria but exceeds the night-time (23:00-07:00) noise egress criteria by 1 dB. The Sandy Brown Report confirms that the calculated level of plant noise egress was limited due to the residual noise levels in the area at the time of the survey. In addition, a 1 dB exceedance would be within measurement tolerances. As such, it is expected that the night-time (23:00-07:00) noise egress criteria will be complied with in practice. On this basis it is demonstrated that there is no adverse noise impact associated with the air conditioning units. As such the application is in accordance with Core Strategy Policy DM 1, Saved UDP Policy DC26, and provision of the NPPF.

In overview it is concluded that the air conditioning is in accordance with relevant national and local planning policy and that retrospective planning permission should be granted.

We trust that this covering letter and the other submitted application information is sufficient to enable the positive determination of this application and we look forward to working with you in progressing it through to determination.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Taylor', is written over a light blue horizontal line.

Ralph Taylor BSc MPLAN MRTPI
Principal Planner