

PLANNING STATEMENT

APPLICANT:

CBRE Global Investors

SITE:

Level 2 Podium, Tower 12
18-22 Bridge Street,
Manchester, M3 3BZ

DATE:

27 January 2020

Report Drafted By	Report Checked By	Report Finalised and Approved By
MH	MH	MH
14.01.20	27.01.20	27.01.20

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1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by CBRE Global Investors (hereafter referred to as the 'applicant') in respect of their land interests at Level 2 Podium of the building known as Tower 12, 18-22 Bridge Street, Manchester, M3 3BZ (hereafter referred to as the 'site'), to submit a planning application to Manchester City Council (hereafter referred to as 'the Council'). The application is made in full for the change of use of Level 2 from a restaurant (Use Class A3) to offices (Use Class B1a) including external alterations.
- 1.2 The application is accompanied by the requisite drawings and supporting information to address the simple change of use and external alterations application and to demonstrate that the proposal would be appropriate in planning terms.

PURPOSE

- 1.3 The purpose of this Planning Statement is as follows:
- To describe the site and surrounding area.
 - To examine any relevant previous planning decisions that have been made in relation to the site and surrounding area.
 - To identify any statutory or local planning-related designations affecting the site.
 - To provide details of the scheme that is now being brought forward.
 - To outline the other documents submitted in support of the proposals.
 - To consider the proposed development having regard to the provisions of the Development Plan.
 - To consider any other material considerations.
 - To demonstrate that the planning balance lies clearly in favour of the proposals.

2. THE SITE & SURROUNDING AREA

SITE LOCATION AND SURROUNDINGS

- 2.1 The site is located in the heart of Manchester City Centre, being part of the well-known commercial, leisure and retail Spinningfields district. The subject site comprises the building known as Tower 12 and which contains a mix of uses. The accompanying location plan includes the whole of the area known as Tower 12; however, this planning application relates specifically to Level 2 Podium.
- 2.2 The restructure of the leisure group known as Living Ventures resulted in the closure of three of the bars and restaurants at Tower 12, those being Neighbourhood, Artisan and The Lounge at Manchester House in late 2018. The restaurant known as Manchester House was subsequently operated by Chef Aiden Byrne under the name Restaurant Mcr before closing in December 2019.
- 2.3 In 2019 acting for the applicant we secured full planning permission for the change of use of The Lounge at Manchester House to offices together with external alterations. This latest full planning application is concerned with the former restaurant known as Manchester House located on Level 2 Podium. The use of this part of the premises as a restaurant (Use Class A3) ceased in December 2019. Many of the fixtures and fittings have been removed by the previous restaurant operator, leaving Level 2 vacant and in need of internal repairs to bring it back into a beneficial use.



Figure 2.1 Extract from Location Plan – Tower 12 edged in red.

- 2.4 Pedestrian access to the site is taken immediately from Bridge Street, with vehicular access taken from Dolefield (off Bridge Street to the west of the building) which leads into the basement garage directly underneath the building. Tower 12 is situated on the edge of the ever-evolving Spinningfields district, being a gateway development leading through to Wood Street and the pedestrianised area known as 'The Avenue' in the heart of the retail element of Spinningfields.

PLANNING HISTORY

- 2.5 A search of the Council's online planning register has identified a number of recent planning applications relating to other floors of the building at Tower 12, i.e. the area edged in red on the submitted location plan, but none that relate to the subject application site (that being Level 2).

SUMMARY

- 2.6 The wider site comprises an existing, well known building on the edge of the Spinningfields district – the building is a gateway to the heart of the thriving Spinningfields area. The specific application site comprises Level 2 Podium of Tower 12 which fronts Bridge Street and which previously housed a popular restaurant known as Manchester House. Since the restaurant closed down, the floorspace on Level 2 has remained vacant and the applicant seeks to bring the space back into beneficial use.
- 2.7 The following Chapters will now look at how the proposed office use (Use Class B1a) would wholly accord with the mixture of land uses in the surrounding area and would be appropriate in planning terms.

3. STATUTORY & OTHER DESIGNATIONS

- 3.1 The site is not subject to any statutory designations.
- 3.2 The City of Manchester (DEANSGATE) Conservation Area (designated in 1985) abuts the road on the eastern side of the red-edge application site (i.e. the Avenue North) as shown in Figure 3.1 below.

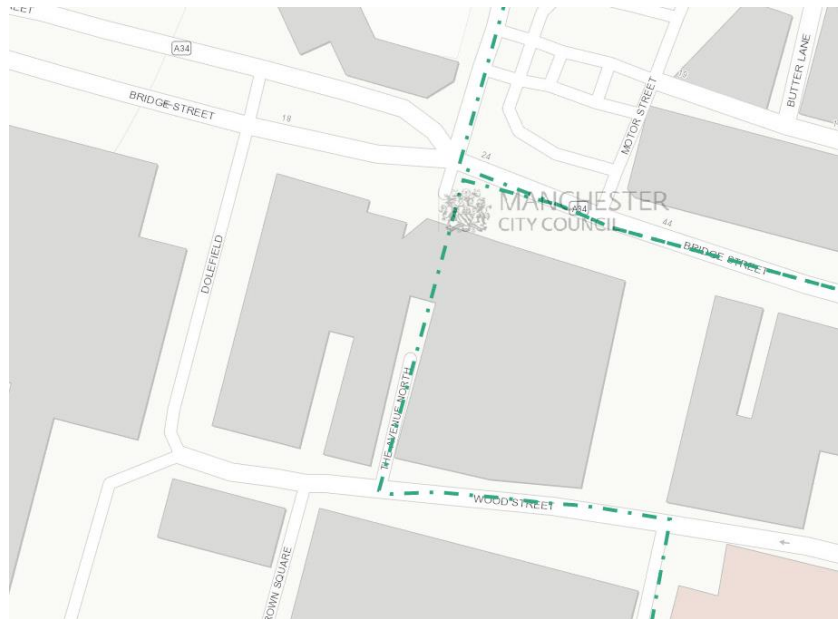


Figure 3.1. The western edge of the Deansgate Conservation Area sits to the east of the application site

- 3.3 Whilst the above is noted, it does not have any effect on the proposals given that the change of use would take place in an existing building. The proposals do include some minor alterations to the external appearance of the building, but as discussed in the following Chapter, the proposed alterations would match the materials already used in the fabric of the existing building.
- 3.4 To conclude, there are no statutory or other designations which preclude the site from the development proposed.

4. THE PROPOSED SCHEME

DESCRIPTION OF DEVELOPMENT

- 4.1 This planning application seeks full planning permission for the change of use of Level 2 Podium of Tower 12, 18-22 Bridge Street from a restaurant (Use Class A3) to offices (Use Class B1a) including external alterations.

DEVELOPMENT CONCEPT

- 4.2 As outlined in the introductory Chapter, the previous restaurant which operated from Level 2. The fixtures and fittings pursuant to the previous use have, in the main, been removed from the building and the internal space is now in need of some repairs.
- 4.3 The applicant is keen to ensure that the floorspace is brought back into beneficial use and is therefore seeking planning permission from the Council to change the use of the floor from a restaurant to office use. To implement the change of use would be relatively simple given that the building is already home to a number of other offices uses which operate from other floors of the building.
- 4.4 In terms of external alterations, it is proposed to enclose part of the existing terrace with a glazing system to match the existing system. These works will enable the proposed office area to be maximised.
- 4.5 In terms of day-to-day operations, the new office space at Level 2 would be governed by the existing management policies which already operate at the subject building. As previously mentioned, the building already hosts a number of different uses, including existing offices, and therefore the proposed new office use on Level 2 would be covered by the same policies already operated by the management company at Tower 12.
- 4.6 The accompanying Waste Management Proforma demonstrates that the existing waste management practices could easily absorb the waste requirements that an additional office use would generate.

5. DOCUMENTS SUBMITTED IN SUPPORT OF THE FULL PLANNING APPLICATION

- 5.1 Annex 1 submitted with the application sets out the plans, drawings and documents submitted in support of the proposals. The Council has been presented with a comprehensive suite of documents to enable consideration and determination of the scheme.

6. THE DEVELOPMENT PLAN

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

“where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

6.2 In this instance, the Development Plan comprises the Manchester Core Strategy adopted July 2012, and a number of policies contained in the Unitary Development Plan (UDP adopted 1995) which remain extant following the adoption of the Core Strategy.

MANCHESTER CORE STRATEGY (2016)

6.3 The Core Strategy is the key strategic Local Plan document, setting out where and how new development should take place. The following policies are relevant to the application proposals and are considered below.

6.4 **Policy EC 1 (Employment and Economic Growth in Manchester)** confirms that a minimum of 200 ha of employment land will be developed between 2010 and 2027 for (amongst other employment uses), Offices (B1a). One of the key locations for major employment growth mentioned in the Policy is in Manchester City, as part of the Regional Centre. The policy requires development proposals to have regard to three criteria pertaining to climate change, making best use of a building, and flood risk. In response to this, it can be said that the change of use proposals would accord with the criteria contained in Policy EC 1 in the following way:

- The new office use would operate under the same policies as the other uses in the existing building, adopting the same practices to ensure energy efficiency.
- The minor alterations to Level 2 would bring an existing, vacant floor of a prominent building back into beneficial use. The site is located within close proximity of a number of sustainable transport links in a popular mixed-use area.
- The subject site is not located in an area of flood risk.

6.5 **Policy EC 3 (The Regional Centre)** confirms that within the Regional Centre, development for employment generating uses including offices and other commercial development will be appropriate, providing that they are in locations which are well connected by sustainable transport to both the City Centre and residential areas, and the scale and type of office development does not undermine delivery of employment spaces within the City Centre.

6.6 As described previously, the subject site is wholly located in a sustainable part of the City Centre. Furthermore, the small-scale nature of the change of use to new office space would certainly not

undermine the strategic delivery of employment spaces in the City Centre. The proposals wholly accord with Policy EC 3.

- 6.7 **Policy CC 1 (Primary economic Development Focus: City Centre and Fringe)** reiterates that the City Centre is a strategic economic location and focus of employment growth in the City and City Region. The policy further confirms that the focus for employment growth will be in B1a high density offices and that the Council will give particular encouragement and support for such development in five identified locations, including Spinningfields.
- 6.8 The supporting text to the policy also confirms that Spinningfields is a location for high value financial and professional services within the Regional Centre, offering high quality premises with large floorplates. The change of use of a vacant restaurant area to additional office space would wholly accord with this Policy.
- 6.9 **Policy CC5 (Transport)** confirms that the Council will seek to ensure that development includes adequate parking provision for cars and bicycles. There is a dedicated cycle parking area within the basement garage directly underneath the existing building which includes 9 no. hoops for bicycles to be safely locked. In this regard, there is ample opportunity for future occupants of the office space to make full use of the cycle parking facilities already in place at Tower 12. The proposals accord with this Policy.
- 6.10 **Policy CC 7 (Mixed Use Development)** states that the City Centre presents the most viable opportunities for mixed-use development, *'and in general these will be promoted as a means of using land as efficiently as possible. A range of uses should be considered for all sites.'* The supporting text to the policy further states that mixed use developments will be an essential part of City Centre development, as they reflect the variety of uses which co-exist in this environment; they are an important means of promoting the efficient use of land. As with the policies above, the change of use of a vacant restaurant area to additional office space would wholly accord with this Policy.
- 6.11 **Policy CC 9 (Design and Heritage)** states that design of new buildings will need to be of the highest standard in terms of appearance and function. This proposed change of use does not involve the construction of a new building; however, it does involve minor alterations to the existing external elevations. The new materials to be utilised in enclosing the existing terraced space will match those of the existing building and will therefore be wholly appropriate to the existing form and design of the building. The proposals accord with Policy CC 9.
- 6.12 **Policy EN 1 (Design principles and Strategic Character Areas)** confirms that the City Centre contains a rich legacy which reflects its urban evolution to the current day and includes listed buildings, conservation areas, archaeological remains and an historic street pattern: *'Its core area presents a particularly dense environment that accommodates a wide and closely integrated range of uses including commercial, civic and residential activities'... 'Developers will be expected to consider the City's heritage and continue the rich pattern of activity in the core area.'* As with

the policies above, the change of use of a vacant restaurant to additional office space would wholly accord with this Policy.

6.13 **Policy EN 4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)** confirms that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through a number of actions. Of those actions the following are relevant to the submitted proposals as follows:

- The new office use would operate within the existing building's passive heating, natural lighting and cooling systems, and make the most of the energy efficiency principles built into the existing building.

6.14 **Policy DM 1 (Development Management)** sets out that all development should have regard to a number of specific issues which may be dealt with in greater detail in a supplementary planning document. Of the issues listed under Policy DM 1 which are relevant to the proposals, the change of use from a restaurant to office use would accord with the following:

- The change of use would make efficient use of the vacant floor of an existing, prominent and land mark building.
- The proposed external changes to the north and west elevations would use material which match the existing fabric of the building. Internal alterations will meet the necessary building regulations standards.
- Level 2 is fully accessible to all.
- The new office use would make full use of the existing waste management policies already in place at Tower 12 – refer to submitted Waste Management Proforma.
- There is an existing vehicular access, car parking and cycle parking which occupants of the new office space would have access to.

6.15 The proposals accord with the relevant elements of Policy DM 1.

EXTANT UDP POLICIES (1995)

6.16 Part 2 Area 5 – City Centre of the UDP is pertinent to the change of use proposal, in particular, Policy RC20 Area 25 which covers the area Bridge Street / Deansgate / Quay Street / River Irwell. **Policy RC20 (Small Area Proposals)** confirms that in considering proposals for development, regard will be had to the detailed proposals which will apply to the 31 small areas of the City Centre. RC20 Area 25 confirms that the area has been substantially redeveloped with the development of a number of major new buildings and with specific reference to Bridge Street, the UDP notes that this particular road *'is a thriving area of mixed uses on the fringe of the Regional Shopping Centre, which adds to the general level of activity in the area.'*

- 6.17 The proposals would bring 4 vacant floorspace back into beneficial use and would therefore not only make a positive contribution to the level of activity in this mixed-use area but would make a positive contribution to the local economy. The proposals accord with Policy RC20.

THE DEVELOPMENT PLAN - SUMMARY

- 6.18 This chapter has set out in terms that the application proposal accords with all of the relevant provisions of the Development Plan. In the following chapter we will set out that there are also other material considerations that weigh in favour of the proposals.

7. OTHER MATERIAL CONSIDERATIONS

INTRODUCTION

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

“In principle...any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances” (Stringer v MHLG 1971).

- 7.2 Material considerations must be genuine planning considerations, i.e. they must be related to the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned (*R v Westminster CC ex-parte Monahan 1989* refers).
- 7.3 In this case the following material considerations are relevant.

THE FRAMEWORK

- 7.4 National planning policy in relation to housing is to be found in the National Planning Policy Framework (hereafter referred to as the Framework) that should be afforded significant weight. A revised Framework was published in February 2019.

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

- 7.5 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 10 further confirms that, 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 11) and for decision taking, criterion c) is relevant in this instance, this means:

“c) approving development proposals that accord with an up-to-date development plan without delay.”

- 7.6 Paragraph 80 confirms that 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, taking into account both local business needs and wider opportunities for development.

- 7.7 In terms of making efficient use of land, the Framework is clear at Paragraph 117 that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

PLANNING PRACTICE GUIDANCE

- 7.8 Planning Practice Guidance (PPG) was launched on 6th March 2014 in its final form. The PPG replaces some 230 planning guidance documents.
- 7.9 The PPG also reiterates the guidance set out in the Framework, that both Local Plans and planning decisions should be based upon and reflect the presumption in favour of sustainable development (paragraph ID 21b-006-20190315).

SUPPLEMENTARY PLANNING DOCUMENTS – GUIDE TO DEVELOPMENT IN MANCHESTER SUPPLEMENTARY DOCUMENT AND PLANNING GUIDANCE (ADOPTED APRIL 2007).

- 7.10 The Guide to Development in Manchester contains a number of policies which wholly support the proposed change of use of Level 2 of Tower 12 on Bridge Street, Manchester. Given the small scale nature of the proposals, these policies are not assessed in great detail in this Planning Statement, but it can be read from the preceding paragraphs in this statement and in the accompanying Waste Management Strategy Proforma and plans and drawings that the development comprises sustainable development and would contribute to bringing some of the vacant spaces of a landmark building in the City Centre, back into beneficial use. It is considered therefore that the proposals would comply with the following relevant elements of the adopted Supplementary Planning Document for the following reasons:

Relevant Section of SPD	Reason for Compliance
Page 3 - Design should respect and be informed by location	Proposed external changes to the north and west elevations would use materials which match the existing fabric of the building. Internal alterations will meet the necessary building regulations standards
Page 9 – Public Transport should be easy to use	The subject site is wholly located in a sustainable part of the City Centre
Page 9 Vehicular access including servicing	The new office use would operate within the existing management of the building, including servicing.
Page 15 - Conversion of existing buildings is encouraged	The existing building will be refurbished to accommodate the proposed new use, recycling the floorspace of Level 2 of the existing building.
Page 15 - The impact of development on the global environment should be reduced	The new use would be served by public transport and adopt the same high standards of energy efficiency which exist in the building.
Page 15 - Provision for refuse and recycling	The new use would adopt the existing waste management policy – refer to submitted document.
Page 17 – Maximise accessibility	The new use will maintain the same standards of accessibility adopted at Tower 12.
Page 19 – Energy Efficiency	The new use will maintain the same standards of energy efficiency adopted at Tower 12.
Page 22 – Waste Management	The new use would adopt the existing waste management policy – refer to submitted document.
Page 27 – Parking Guidelines	Sufficient, well located and secure car and cycle parking is already available at Tower 12.
Page 32 – Improve access to work	The subject site is wholly located in a sustainable part of the City Centre
Page 32 – Ensure accessibility for all	The new use will maintain the same standards of accessibility adopted at Tower 12.
Page 46 – Development Quality in the City Centre	The change of use of existing floorspace within the City Centre will improve the identity of the existing building.

SUMMARY

- 7.11 This application submission has demonstrated how the proposals have addressed all the key issues above, and that the change of use from a restaurant to new office space comprises sustainable development. The proposals are compliant with the Development Plan, national guidance and the Council's adopted supplementary guidance.

8. CONCLUSIONS

- 8.1 Hourigan Connolly is instructed by CBRE Global Investors in respect of their land interests at Level 2 Podium, Tower 12, 18-22 Bridge Street, Manchester and to submit a full planning application to Manchester City Council for the change of use of Level 2 from a restaurant (Use Class A3) to office use (Use Class B1a) including external alterations.
- 8.2 Our client's site is available for development now, is sustainably located and would bring vacant floorspace within a prominent location in the Spinningfields district, back into beneficial use; the proposals represent sustainable development.
- 8.3 Therefore, for the reasons set out in this Statement, the proposed development is entirely in accordance with the Development Plan and we respectfully request that full planning permission be granted without delay.