

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141474/FO/2024

Date registered valid: 20 November 2024

Proposal: Full Flexible Planning Permission for Change of Use of Part of Floor 4 from E(g)(i) (Office) to F1(a) (Education) and/or E(g)(i) (Offices)

Address: 2 Hardman Street, Manchester, M3 3HF

Ward(s): Deansgate Ward

Applicant: Mr Michael Hyde Arden University

Agent (if any): Miss Yvette Black JLL

Case officer: James Bridgman
Tel: 0161 219 6202
Email: james.bridgman@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 9 January 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 5 December 2024

Standard consultations:

Printed: 25 November 2024

Expired: 16 December 2024

Neighbour notifications

Printed: 25 November 2024

Expired: 16 December 2024

Site notice

Posted: 5 December 2024 Expired: 28 December 2024

Press advert

Published: 3 December 2024

Expired: 24 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application refers to an eight-storey modern detached office block in Spinningfields bounded by Hardman Street, Little Quay Street, Atkinson Street and Jodrell Street. The building comprises of glazed panels and aluminium cladding.

The 5th and 6th Floors are occupied by Arden University following the grant of planning permission 137213/FO/2023 for a flexible use of education and/or offices.

Listed building: Not applicable

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area forms part of the neighbourhood of Spinningfields and the Deansgate Conservation Area. Hardman Street has seen extensive redevelopment in the last twenty years and is now characterised by contemporary building's largely finished in glazed panels that lie in offices uses, with some retail, restaurant and drinking establishments at ground level.

Description of development

Permission is sought for the change of use of part of the fourth-floor level from Class E (g) Office to a full flexible use between Class E (g) Officer and Class F1(a) education use for a period of ten years.

The supporting information states that the flexible use class is designed to allow the space to respond to market demands. The proposed hours of operation for the development are as follows:

Monday to Friday - 8:00 until 22:00
Saturday – 8:00 until 16:00

Planning History

137213/FO/2023 - Flexible planning permission for change of use of floors 5 and 6 from E(g)(i) (Office) to F1(a) (Education) and/or E(g)(i) (Offices) and associated works. Decision: Approved 24.07.2024

102907/FO/2013/C1 - Inclusion of office use (Class B1) as an approved use of Unit 2B in addition to the approved retail and leisure uses (Classes A1, A2, A3, D1 and D2) already approved pursuant to planning permission ref. 072779/FO/2004/C1. Decision: Approved 22.08.2013

072779/FO/2004/C1 - Construction of an office building (use class B1) with use class A1 (shops), A2 (financial and professional services) A3 (food and drink), D1 (non-residential institutions) and D2 (assembly and leisure) at ground floor level. The creation of a new pedestrian Street (Little Quay Street) and related access, servicing and associated works (amendment to previous approval 066967/FO/CITY/03). Decision: Approved 22.09.2004

069687/FO/2003/C1 - Construction of an office building (Use Class B1) with Use Classes A1 (shop), A2 (financial and professional services), A3 (food and drink), D1 (non-residential institutions) and/or D2 (assembly and leisure) at ground floor level, the creation of a new pedestrian street (Little Quay Street) and related access, servicing and associated works. Decision: Approved 28.11.2003

Consultations & Notification Responses

Highway Services – No objections subject to informative relating to construction management.

Environmental Health – No objections

Publicity – A site notice was displayed in close proximity to the building and letters were sent to nearby residents and occupants. No representations were received as a result of this publicity.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC1 – Employment and Economic Growth in Development
- Policy EC2 - Existing Employment Space
- Policy EC3 – The Regional Centre
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC5 – Transport
- Policy EN19 – Waste
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester - The following saved UDP Policies are of relevance to this application:

- Policy DC18 – Conservation Areas
- Policy DC26 – Development and Noise

National Planning Policy Framework (NPPF)

- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Issues

Principle

The proposal would see the siting of a flexible education and office use within the City Centre. Policy EC2 of the Core Strategy states alternative uses will be supported if amongst other things, it can be demonstrated that the existing use is un-viable and on balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

The submitted supporting information makes clear that the site is currently unoccupied and has been for the last three years. The applicant confirms a full marketing campaign was undertaken for a period of 24 months. Additionally, the statement provides clear justification for an educational use, identifying a demand and providing benefits such as contributing to the local economy and employment offer in the City Centre.

If implemented, the proposal would bring a sustainable and active use to the building, alongside providing a space for a business that would generate employment opportunities, thereby helping the regeneration of the City Centre, in accordance with Core Strategy Policy EC1. Furthermore, it is acknowledged that this is permission is for a flexible use for a period of ten years, thus allowing this part of the building to revert to an office use.

The proposal is considered to be acceptable in principle and is in accordance with Core Strategy Policies SP1, DM1, EC1 and EC2 and the National Planning Police Framework.

Residential Amenity

The proposal seeks the creation of a flexible education and office use within the City Centre, on a street primarily characterised by properties in commercial use. The proposed operating hours would be until 22:00 from Monday to Friday and until 16:00 on a Saturday.

The site is located within close proximity to a mix of different uses. Some of these units along Hardman Street and Byrom Street include bars and restaurants which operate until 22:00, 23:00 and 1:00.

Environmental Health has been consulted on the proposal and have no objections. It is considered the proposal would not generate such a level of noise where neighbouring amenity would be adversely affected. A condition will be attached outlining the operating hours as applied for. For these reasons, the proposal would have an acceptable impact on neighbouring amenity, in accordance with Core Strategy Policies SP1 and DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

Visual Amenity & Heritage

No external alterations are proposed as part of this application. Therefore, the proposal would have no impact upon the character and appearance of the street scene and Deansgate Conservation Area. The proposal is in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policy DC18 and the National Planning Policy Framework.

Highway Safety

The application site is located within a highly sustainable location as it is within walking distance of public transport links and local amenities. Additionally, the proposed use is not considered to generate such a level of vehicular traffic or footfall to warrant further investigation or refusal.

The proposal does not include any alterations to how the site is accessed or how it interacts with the public highway. The Local Authority Highway's Officer does not object to the proposal subject to an informative relating to construction management. The proposal would therefore have an acceptable impact on highway safety in accordance with Core Strategy Policy CC5 and the National Planning Policy Framework.

Waste Management

It is understood that waste management for the proposed development will form part of the buildings existing waste strategy. This is considered to be appropriate and has raised no concerns from Environmental Health and Highways Services. Given there would be no change in the waste management strategy at the site, the proposal is acceptable in this regard and accords with Core Strategy Policies EN19 and DM1.

Disabled Access

The building has level access and lift access to the upper floors. The proposal in this regard accords with Core Strategy Policy DM1.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

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:

- Proposed Layout Plan: Drawing No.002
- Sections 4.1 and 7 of the Planning Statement

All stamped as received by the City Council as Local Planning authority on the Received 20 November 2024

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 and the National Planning Policy Framework.

- 3) The premises shall not be open to students of the flexible education (Class F1(a)) /office (Class E(g)(i)) use hereby approved outside of the following hours:

- Monday to Friday 08:00 - 22:00
- Saturday 08:00 - 16:00

Reason - To safeguard the amenities of occupiers of neighbouring properties in accordance with Policy DM1 of the Manchester Core Strategy, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building hereby approved shall only be used for education (Use Class F1) or offices (Use Class Egi).

Reason - In the interest of retaining the provision of office space within the development pursuant to policies EC1 and EC4 of the Manchester Core Strategy.

- 5) The details of the approved Waste Management strategy outlined in section 4.21 of the Planning Statement 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.

- 6) The development hereby approved shall include for full disabled access to be provided for the occupiers of the use hereby approved to all areas of the development via existing level access , ramps and lifts.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

Informative

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

198 Deansgate, Manchester, M3 3NE
First Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Fourth Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Third Floor Right, London House, 193 Deansgate, Manchester, M3 3NE
Thirteenth Floor Room 1B, Sunlight House, Quay Street, Manchester, M3 3LE
Sunlight House, Quay Street, Manchester, M3 3JZ
Suite 201 Second Floor, Sunlight House, Quay Street, Manchester, M3 3LE
111 Sunlight House, Quay Street, Manchester, M3 3LE
Second Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
1 Spinningfields Square, Manchester, M3 3AP
1 Hardman Street, Manchester, M3 3HF
Fifth And Sixth Floors, 2 Hardman Street, Manchester, M3 3HF
5 - 7 Byrom Street, Manchester, M3 4PF
Third Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
Fourth Floor Office 4A, Vantage Point, Hardman Street, Manchester, M3 3HF
Fourth Floor, 3 Hardman Street, Manchester, M3 3HF
Old Grapes Inn, Quay Street, Manchester, M3 3JU
Pt Ground Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Suite 202 Second Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Third Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Suite 106, Sunlight House, Quay Street, Manchester, M3 3JZ
GL HEARN LTD, Fourth Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
Banyan Bar, Ground Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
Tenth Floor, 3 Hardman Street, Manchester, M3 3HF
Twelfth Floor, 3 Hardman Street, Manchester, M3 3AU
188 - 192 Deansgate, Manchester, M3 3ND
1302 Sunlight House, Quay Street, Manchester, M3 3LE
Eleventh Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Seventh Floor, Sunlight House, Quay Street, Manchester, M3 3LF
NANDOS CHICKENLAND LTD, Unit 1, 2 Hardman Street, Manchester, M3 3HF
Medika Clinic, 3 Hardman Street, Manchester, M3 3AX
Seventh Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
First Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
Eleventh Floor, 3 Hardman Street, Manchester, M3 3AU
194 Deansgate, Manchester, M3 3ND
Third Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Second Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Room 1301, Sunlight House, Quay Street, Manchester, M3 3LE
Room 614, Sunlight House, Quay Street, Manchester, M3 3JZ
624 - 628 Sunlight House, Quay Street, Manchester, M3 3LE
Thirteenth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Part Thirteenth And Mezzanine Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Suite 114, Sunlight House, Quay Street, Manchester, M3 3JZ
Thirteenth Floor Maintenance Room, Sunlight House, Quay Street, Manchester, M3 3LE
Opera House, Quay Street, Manchester, M3 3HP
Unit 4A, Spinningfields Square, Manchester, M3 3AP
Ground Floor, 2 Hardman Street, Manchester, M3 3HF
Ground Floor, 3 Hardman Street, Manchester, M3 3AX
Ninth Floor, 3 Hardman Street, Manchester, M3 3HF

Seventh Floor, 3 Hardman Street, Manchester, M3 3HF
 Eighth And Ninth Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
 Fifth Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
 Royal London House, 196 Deansgate, Manchester, M3 3WF
 Fourth Floor And Fifth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 Suite 603 Part Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 Eighth Floor, Sunlight House, Quay Street, Manchester, M3 3LU
 Suite 608 Part Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 Suite 102B Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 First Floor, 3 Hardman Street, Manchester, M3 3AW
 Advertising Right Outside 4, Hardman Street, Manchester, M3 3EB
 OZON SOLICITORS LIMITED, Second Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
 1 Byrom Place, Manchester, M3 3HG
 Fifth Floor, 3 Hardman Street, Manchester, M3 3HF
 Store Rear Of 192, Deansgate, Manchester, M3 3ND
 London House, 193 Deansgate, Manchester, M3 3NE
 Suite 101 Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 Sixth Floor Room 631, Sunlight House, Quay Street, Manchester, M3 3LE
 109 Sunlight House, Quay Street, Manchester, M3 3LE
 Suites 110 And 112 And 114, Sunlight House, Quay Street, Manchester, M3 3JZ
 Bannatyne Health Club And Spa, Sub Basement And Basement And Ground Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 Moxy Hotel, 8 Atkinson Street, Manchester, M3 3HH
 Second Floor, 3 Hardman Street, Manchester, M3 3AW
 Fifth Floor, Vantage Point, Hardman Street, Manchester, M3 3HF
 Sixth Floor, 3 Hardman Street, Manchester, M3 3AT
 Third Floor, 3 Hardman Street, Manchester, M3 3AW
 Basement, Royal London House, 196 Deansgate, Manchester, M3 3WF
 Rooms 625 627 And 629, Sunlight House, Quay Street, Manchester, M3 3LE
 First Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 Fifth Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 Suite 102A Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
 Unit 2B, 2 Hardman Street, Manchester, M3 3HF
 Unit 2A, 2 Hardman Street, Manchester, M3 3HF
 Impress Manchester, 3 Hardman Street, Manchester, M3 3AX
 Eighth Floor, 3 Hardman Street, Manchester, M3 3HF
 Flat, Sunlight House, Quay Street, Manchester, M3 3JZ
 1 Little Quay Street, Manchester, M3 3JU
 Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
 DWF, 1 Scott Place, Manchester, M3 3AA
 Sixth Floor, Vantage Point, Hardman Street, Manchester, M3 3HF

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
 Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
 Conservation Area - Deansgate Conservation Area 1985
 Area Team Boundary - Name: CENTRAL