

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140895/JO/2024 and 140896/JO/2024

Date registered valid: 13 September 2024

Proposal: 140895/JO/2024 - Application to vary condition 2 (Approved Drawings and Documents) imposed upon Planning Permission referenced 139242/FO/2024 under section 73 of the Town And Country Planning Act 1990 to amend the wording of the condition to allow changes to the approved drawings for the roof terrace and rear elevation.

140896/JO/2024 - Application to vary condition 2 (Approved Drawings and Documents) imposed upon Listed Building Consent referenced 139243/LO/2024 under section 19 of the planning (Listed Buildings and Conservation Areas) Act 1990 to amend the wording of the condition to allow changes to the approved drawings for the roof terrace and rear elevation.

Address: 35 King Street, Manchester, M2 7AT

Ward(s): Deansgate Ward

Applicant: Watches of Switzerland Company Ltd

Agent (if any): Miss Katie Parfett Savills

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 November 2024

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other and Listed Building Consent

Date of site visit: 25 September 2024

Standard consultations:

Printed: 23 September 2024 Expired: 14 October 2024

Neighbour notifications

Printed: 23 September 2024 Expired: 14 October 2024

Site notice

Posted: 25 September 2024 Expired: 16 October 2024

Press advert

Published: 1 October 2024 Expired: 22 October 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

This application relates to a Grade II Listed Building that was constructed as a Georgian townhouse in the mid-18th century for Dr Peter Waring and converted into a bank c.1788 and most recently used as commercial premises and offices. It is located within the St Anns Square Conservation Area and is within the immediate setting of a number of listed buildings, including the Grade I listed St Ann's Church, the Grade II listed 33 King Street, 48 King Street, 54-65 King Street, 62 King Street, the Old Exchange and the Eagle House. It has frontages onto King Street and St Ann's Alley.

Despite considerable internal alterations and rear and side extensions, the asset is considered to be of high historic, architectural, aesthetic and townscape interest, continuing to make a major positive contribution to the character and streetscene of the conservation area and the setting of the neighbouring listed buildings.

The building is within the central shopping and business area of the City Centre and surrounding uses include shops, offices, residential accommodation, bars, restaurants and entertainment venues.

Applications referenced 139243/LO/2024 and 139242/FO/2024 were approved in July 2024 and allowed internal and external alterations to the property in association with the reuse of the

building for retail purposes including the use of existing ancillary terrace including for occasional events (Class E).

Description of development

Planning permission and Listed Building Consent is sought to vary Condition 2 (Approved Drawings) of the planning application referenced 139242/FO/2024 and Listed Building Consent referenced 139243/LO/2024 to make the following changes to the approved drawings:

- A reduction in size of the roof terrace to be limited to the footprint of the existing decked portion of the roof (the northeast portion) to include new timber floor finishes and frameless glass balustrade.
- The cutting back of the existing non-original glass canopy.
- The widening of the existing door opening as previously proposed, but with the location changed to the opening at the opposite side (east) of the rear facade.

Consultations & Notification Responses

Publicity -

140895/JO/2024 - The application was advertised in the local press as affecting the setting of a listed building, affecting the setting of a conservation area and as being a major development, a site notice was displayed on site and letters were sent to surrounding occupiers to inform them of the proposals - No responses were received.

140896/JO/2024 - The application was advertised in the local press as an application for listed building consent, a site notice was displayed on site and letters were sent to surrounding occupiers to inform them of the proposals - No responses were received.

Highway Services - Advised that Highways are satisfied with the proposal for variation of Condition 2 (Specified Plans) and have no objections.

Environmental Health - Advised that providing that conditions 7 and 8 from the original application 139242 remain and the patrons' numbers remain the same as assessed in the acoustic assessment (12 during the day and 39 during the evening 19:00 to 22:00) then there are no comments for the proposed variation.

Greater Manchester Police - No comments received.

Issues

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

CC10 (A Place for Everyone) states that development that promotes high standards of accessibility to buildings and across spaces in the City Centre.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should make a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment.

Policy DM1 (Development Management) states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- a) Appropriate siting, layout, scale, form, massing, materials and detail
- b) all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.
- c) Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation.
- d) Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes
- e) Community safety and crime prevention
- f) Design for health.
- g) Adequacy of internal accommodation and external amenity space
- h) Refuse storage and collection.

The Unitary Development Plan for the City of Manchester

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Places for Everyone -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-P 1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality

and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-P 2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

Policy JP-P3 (Cultural Facilities) states that cultural businesses and attractions in our cities and towns will be proactively developed and supported through a range of measures including protecting existing heritage, cultural and community facilities, supporting the development of new cultural venues in town centres and places with good public transport connectivity, promoting new, or enhanced existing, locally-distinct clusters of cultural facilities, identifying protecting and enhancing strategic clusters of cultural attractions, considering the use of vacant properties and land for pop-ups or meanwhile uses for cultural and creative activities; maximising opportunities for redundant heritage assets; considering the designation of 'Creative Improvement Districts' and supporting a mix of uses which derive mutual benefits. If development would potentially result in conflict between a cultural activity and another use, especially in terms of noise, then the development responsible for the change must secure the implementation of appropriate mitigation before it is completed.

National Policy

Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 196 states that in determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 200 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 203 states that in determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 207 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The Impact on the Character of the Listed Building -

Under these criteria the effect of the proposal has been considered.

Each change is assessed as follows:

The reduction in size of the roof terrace could be a positive change as it would mean less access for customers to the original fabric and potential damage to the elevation, mean less intervention and protect more of the fabric due to access being available to less of the fabric although it will still be able to be viewed.

The cutting back of the existing non-original glass canopy is beneficial as this would be the removal of non-original fabric and would reveal more of the original fabric.

The widening of an existing door opening at the opposite side of the rear facade to the approved location would be within the same wall as the approved demolition works and would involve the same amount of removal of original fabric as would have been removed in the approved location. The impact of this change to the proposals is considered to be neutral.

The proposed changes would be minor beneficial and would be positive changes to the approved proposals. It is therefore considered that works are beneficial and are consistent with paragraphs 203 and 208 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

Other Issues -

There are no other issues to consider.

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.

140895/JO/2024 Recommendation: Approve

140896/JO/2024 Recommendation: Approve

Article 35 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included advice about the information required to be submitted to support the application and to address issues. This has led to an acceptable proposal.

140895/JO/2024 - Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The development shall have commenced not later than 1 July 2027.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2) The site location referenced 1368 P.00.050 received by the City Council as local planning authority on 22 May 2024

The drawings referenced:

1368.04.700 Rev A

received by the City Council as local planning authority on 21 May 2024

1368 P.01.099 Rev B
1368 P.01.200 Rev A
1368 P.01.201 Rev A
1368 P.01.301 Rev A
1368 P.01.401 Rev B
1368 P.01.402 Rev B
1368 P.01.403 Rev A
1368 P.01.499 Rev A
1368 P.02.101 Rev B
1368 P.02.102 Rev A
1368 P.02.103 Rev A
1368 P.04.104 Rev A
1368 P.04.106 Rev B
1368 P.04.107 Rev A

received by the City Council as local planning authority on 22 May 2024

1368 P.01.100 Rev D
1368 P.01.101 Rev D
1368 P.01.500 Rev B
1368 P.01.501 Rev B
1368 P.02.100 Rev C

received by the City Council as local planning authority on 13 June 2024

1368 P.00.502 Rev D
1368 P.00.512 Rev B
1368 P.01.102 Rev E
1368 P.01.103 Rev C
1368 P.01.202 Rev C
1368 P.01.302 Rev C
1368 P.01.502 Rev C

received by the City Council as local planning authority on 30 August 2024

1368 P.01.401 Rev B
1368 P.01.402 Rev B
1368 P.01.403 Rev A

received by the City Council as local planning authority on 13 September 2024

1368.P.05.100 Rev A
1368.P.05.100 Rev A

received by the City Council as local planning authority on 29 October 2024

1368.P.05.101 Rev A

received by the City Council as local planning authority on 1 November 2024

The Heritage Statement prepared by Donald Insall Associates received by the City Council as local planning authority on 22 May 2024

The Heritage Statement Addendum prepared by Donald Insall Associates received by the City Council as local planning authority on 30 August 2024

The Design and Access Statement prepared by Mark Pinney Associates received by the City Council as local planning authority on 30 August 2024

The Architectural Method Statement prepared by Mark Pinney Associates received by the City Council as local planning authority on 30 August 2024

The email from Savills dated 14 May 2024

The letter from Savills dated 15 August 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, SP1 CC9 and DM1 of the Core Strategy, saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

3) Notwithstanding the details submitted with the application, prior to the commencement of any above ground external works the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of all materials to be used on all external elevations, terrace and rooves of the development.

(b) jointing and fixing details between all component materials

(c) a strategy for quality control management.

(d) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

The approved materials shall be used in the construction of the development hereby approved.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies EN3, CC9, SP1 and DM1 of the Core Strategy.

4) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the first use of the equipment to which these works relate.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Before the first use of the fume extraction approved within part (a) of this planning condition, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been fully implemented.

c) The equipment shall then be operated and maintained only in accordance with the above approved documents for the duration of the use.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

5) a) Prior to the first use of the ancillary bar and entertainment areas of the building, a scheme to acoustically insulate the internal areas of the premises and control the noise levels on the external terrace to limit the breakout of noise shall be submitted for approval in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before the first use of bar and entertainment areas of the building.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

b) Upon completion of the development and before the use hereby approved becomes operational, a verification report shall be undertaken to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that above criteria is met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority before the use becomes operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

6) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to the installation of the equipment hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to first operation of the equipment hereby approved, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the works conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) The external terrace hereby approved shall only be used in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority before the commencement of the use of the external terrace hereby approved. The use hereby approved shall not operate outside of the approved opening hours.

There shall not be any speakers, music or amplification of any kind in the external terrace area at any time.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

8) An Operational management plan shall be provided for the use of the terrace prior to the first use of the external terrace. This plan shall include measures to reduce disturbance, antisocial behaviour and the effects on traffic and confirm the timescales for events and the details of the operation of events. The terraces shall be used only in accordance with the approved management plan for the duration of the use of the external terrace.

Reason - To ensure an acceptable development in the interests of residential amenity, ensuring highway safety and preventing crime pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

9) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the number, height, colour and materials of the rooftop plant screens shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install these features within the site. The screens shall then be installed and maintained fully and only in accordance with the approved details.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

10) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the location, amount and scale of external plant and equipment shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install these features within the site. The plant and equipment installed shall be limited to the approved scale and amount.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

11) Prior to the removal of any external doors of the full and final details of all new doors and the treatment of the fanlight shall be submitted to and agreed in writing by the City Council as

local planning authority. The works within the external door openings shall be carried out fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

12) The security measures detailed within the email from Savills dated 14 May 2024 shall be fully implemented prior to the first use of development and shall be maintained for the duration of the use.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

13) Full and final details of the planters and the planting species that they would contain that would be installed within the existing lightwells shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works taking place to the lightwells. The planters shall be installed only in accordance with the approved information and shall be installed within the lightwells before the development hereby approved is completed.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

14) The access measures for disabled people to gain access into and throughout the premises as shown on the drawings referenced 1368.P.01.100 Rev C and 1368.P.01.101 Rev C shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies CC10, T2, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

15) All ground floor windows of the building shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

140896/JO/2024 - Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development shall have commenced not later than 1 July 2027.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The site location referenced 1368 P.00.050 received by the City Council as local planning authority on 22 May 2024

The drawings referenced:

1368.04.700 Rev A

received by the City Council as local planning authority on 21 May 2024

1368 P.01.099 Rev B
1368 P.01.200 Rev A
1368 P.01.201 Rev A
1368 P.01.301 Rev A
1368 P.01.401 Rev B
1368 P.01.402 Rev B
1368 P.01.403 Rev A
1368 P.01.499 Rev A
1368 P.02.101 Rev B
1368 P.02.102 Rev A
1368 P.02.103 Rev A
1368 P.04.104 Rev A
1368 P.04.106 Rev B
1368 P.04.107 Rev A

received by the City Council as local planning authority on 22 May 2024

1368 P.01.100 Rev D
1368 P.01.101 Rev D
1368 P.01.500 Rev B
1368 P.01.501 Rev B
1368 P.02.100 Rev C

received by the City Council as local planning authority on 13 June 2024

1368 P.00.502 Rev D
1368 P.00.512 Rev B
1368 P.01.102 Rev E
1368 P.01.103 Rev C
1368 P.01.202 Rev C
1368 P.01.302 Rev C
1368 P.01.502 Rev C

received by the City Council as local planning authority on 30 August 2024

1368 P.01.401 Rev B
1368 P.01.402 Rev B
1368 P.01.403 Rev A

received by the City Council as local planning authority on 13 September 2024

1368.P.05.100 Rev A

1368.P.05.100 Rev A

received by the City Council as local planning authority on 29 October 2024

1368.P.05.101 Rev A

received by the City Council as local planning authority on 1 November 2024

The Heritage Statement prepared by Donald Insall Associates received by the City Council as local planning authority on 22 May 2024

The Heritage Statement Addendum prepared by Donald Insall Associates received by the City Council as local planning authority on 22 May 2024

The Design and Access Statement prepared by Mark Pinney Associates received by the City Council as local planning authority on 30 August 2024

The Architectural Method Statement prepared by Mark Pinney Associates received by the City Council as local planning authority on 30 August 2024

The email from Savills dated 14 May 2024

The letter from Savills dated 15 August 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, SP1 CC9 and DM1 of the Core Strategy, saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

3) Notwithstanding the details submitted with the application, prior to the commencement of any above ground external works the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of all materials to be used on all external elevations, terrace and rooves of the development.

(b) jointing and fixing details between all component materials

(c) a strategy for quality control management.

(d) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

The approved materials shall be used in the construction of the development hereby approved.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies EN3, CC9, SP1 and DM1 of the Core Strategy.

4) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the installation of the rooftop plant screens including locations of fixings shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install these features within the site. The screens shall then be installed and maintained fully and only in accordance with the approved details.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

5) Notwithstanding the approved drawings and documents within Condition 2 of this decision, full and final details of the works to replace the staircase, including detailed sections, details of the materials and finishes and the measures to prevent loss of and damage to original fabric shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to remove the existing staircase from the building. The works to replace the staircase shall be carried out fully and only in accordance with the approved details.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

6) Notwithstanding the information detailed within Condition 2 of this application, full and final M&E and drainage details, including details of internal and external manifestation, exposed equipment and new penetrations to existing fabric shall be submitted to and approved in writing by the City Council as local planning authority prior to any works to install this equipment commencing including any associated removal of the existing fabric to allow installation. Where possible pipes and wires shall be located within non-original areas of the site and attached to non-original fabric.

All M&E shall be installed fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

7) Full and final details of the planters and the installation within the existing lightwells shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works taking place to the lightwells. The planters shall be installed only in accordance with the approved information and shall be installed within the lightwells before the development hereby approved is completed.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

8) Prior to the removal of any external doors of the full and final details of all new doors and the treatment of the fanlight, including the method of installation, shall be submitted to and agreed in writing by the City Council as local planning authority. The works within the external door openings shall be carried out fully and only in accordance with the approved details.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

9) Full and final details of the works to install secondary security glazing, including detailed sections, large scale partial elevations and details of the materials shall be submitted to and agreed in writing by the City Council as local planning authority prior to any works to install secondary glazing at the building. The works to install secondary glazing shall be carried out fully and only in accordance with the approved details.

Reason - Because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

10) Full and final details of the repairs to the existing windows, plasterwork, brickwork and stonework, including a method statement and samples shall be submitted to and agreed in writing by the City Council as local planning authority prior to the completion of the elevational alterations. The repair works shall be carried out fully and only in accordance with the approved details and shall be completed within 3 months of the completion of the development hereby approved.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

11) All ground floor windows of the building shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Third Floor, 37 King Street, Manchester, M2 7AT
54 King Street, Manchester, M2 4LY
56 King Street, Manchester, M2 4LY
3 St Ann's Alley, Manchester, M2 6AJ
Advertising Right Out Side 56, King Street, Manchester, M2 3NQ
Third Floor, 39 South King Street, Manchester, M2 6DE
Second Floor, 39 South King Street, Manchester, M2 6DE
First Floor, 39 South King Street, Manchester, M2 6DE
Ground Floor, 39 - 43 King Street, Manchester, M2 7AT
Rear Part Ground First Second And Third Floors, 33 King Street, Manchester, M2 6AA
39 - 43 King Street, Manchester, M2 7AT
Second Floor, James Binney House, 52 Cross Street, Manchester, M2 7AR
First Floor, James Binney House, 52 Cross Street, Manchester, M2 7AR
Basement, 37 King Street, Manchester, M2 7AT
Ground Floor, 41 South King Street, Manchester, M2 6DE
Basement, 41 South King Street, Manchester, M2 6DE
First Floor, 41 South King Street, Manchester, M2 6DE
62 King Street, Manchester, M2 4ND
52 King Street, Manchester, M2 4LY
St Anns Church, St Ann Street, Manchester, M2 7LF
37 King Street, Manchester, M2 7AT
James Binney House, 52 Cross Street, Manchester, M2 7AR
Basement To First Floor, 33 King Street, Manchester, M2 6AA
3 St Ann's Churchyard, Manchester, M2 7LN
39 South King Street, Manchester, M2 6DE
33 King Street, Manchester, M2 6AA
Third Floor, James Binney House, 52 Cross Street, Manchester, M2 7AR
60 King Street, Manchester, M2 4LZ
58 King Street, Manchester, M2 4LY
50 King Street, Manchester, M2 4LY
COS, 30 St Ann Street, Manchester, M2 7LF
Third Floor, 41 South King Street, Manchester, M2 6DE
Second Floor, 41 South King Street, Manchester, M2 6DE

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 - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CENTRAL