Our Ref: 22NP485-P4
Planning Portal Ref: PP-13207006

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4th July 2024

Planning Department,
Manchester City Council,
Town Hall Extension,
Albert Square,
Manchester,
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Dear Sir/Madam,

RE: SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) APPLICATION TO VARY CONDITIONS 2 (APPROVED PLANS), 9 (DISABLED ACCESS) & 16 (CYCLE PARKING) OF PLANNING PERMISSION REFERENCE 138110/FO/2023 RELATING TO 68-70 HIGH STREET, MANCHESTER, M4 1EA.

Introduction

The letter has been prepared by Northern Planners in support of a Variation of Condition Application relating to Planning Permission reference: 138110/FO/2023. This Application seeks to amend the plans approved as part of this planning permission that was granted on 21st December 2023.

The Planning Application has been submitted electronically via the Planning Portal (Ref: PP-13207006)

In addition to the fee and this supporting letter, this Section 73 Application comprises the following:

- Completed Application Form;
- Site Plan (Proposed) (Drawing No. A002 Revision B);
- Proposed Basement Floor Plan (Drawing No. A109 Revision B);
- Proposed Ground Floor Plan (Drawing No. A110 Revision C);
- Proposed First Floor Plan (Drawing No. A111 Revision B);
- Proposed Second Floor Plan (Drawing No. A112 Revision B);

- Proposed Third Floor Plan (Drawing No. A113 Revision B);
- Proposed Fourth Floor Plan (Drawing No. A114 Revision D);
- Proposed Roof Plan (Drawing No. A115 Revision B);
- Proposed Front Elevations (Drawing No. A202 Revision D);
- Proposed Side Elevations (Drawing No. A203 Revision C);
- Proposed Typical GA Section (Drawing No. A300 Revision C);
- Proposed Façade Detail 1 of 2 (Drawing No. A500 Revision B); and
- Proposed Façade Detail 2 of 2 (Drawing No. A501 Revision A).

Of note, a Site Location Plan is not a mandatory requirement for an Application made under Section 73 of the Town and Country Planning Act 1990 (as amended) and no alterations are proposed to the approved Site Location Plan. Thus, the grant of any planning permission will not require the Local Planning Authority (LPA) to update the already approved Site Location Plan.

Relevant Planning History

Full planning permission for the creation of a hotel (Use Class C1) and associated external alterations at the site was granted approval on 21st December 2023 under reference: 138110/FO/2023.

The permission granted the change of use of vacant parts of 68-70 High Street to a hotel, with 26 rooms being prepared in the 1st, 2nd, 3rd and 4th floors (with the 3rd and 4th floors within the roof space), as well as a refuse store and cycle store (for 2 bikes) located within the basement. At the ground floor, a reception area was approved. The main entrance to the hotel was approved from Thomas Street.

The Planning Permission also granted a number of associated alterations to the building, and externally these included (but are not limited to):

- Alterations to the roof level to facilitate the inclusion of hotel rooms within the existing roofspace, comprising a series of 7 no. dormers with zinc cladding and insertion of conservation rooflights.
- Extension and cladding of the lift shaft.
- Repair of existing timber windows.
- Repairs to external facades.
- Removal of all existing roller shutters and reinstating/repairing and making good any historic fabric that is revealed as a result of this.

In terms of the approved hotel use, the delegated officer report stated that the proposal will be complementary to existing uses, providing an additional facility for visitors to the City and that it has the potential to add the area's vibrancy and contribute to the character of the emerging Mayfield Area.

As it was proposed to bring this building back into full use and given the works to improve the external appearance of the building, the delegated officer report for this Application justifiably concluded that these public benefits would outweigh the less than substantial harm to the significance of the heritage assets that the LPA identified.

Application reference: 138110/FO/2023 was approved subject to a number of conditions. One such condition was Condition 2, which relates to the approved plans and documents, and this states the following:

> *"The development hereby approved shall be carried out in accordance with the following drawings and documents:*
>
> a) *Location Plan A001 and Site Plan A002;*
> b) *Dwgs 3293-A109 Rev A, A110 Rev A, A111, A112, A113, A114 Rev B, A115 Rev A, A200, A201, A202 Rev C, A203 Rev B, A300 Rev A, A500 Rev A and A501;*
> c) *Operation and Servicing Strategy 68-70 High St & 2 Turner St, Manchester, M4 1EA by SEED Architects stamped as received on 13-11-23;*
> d) *Energy Statement, 70 High Street, Manchester, M4 1ES, Job number: 10364, Date: 04/08/2023 by Base Energy stamped as received on 15-09-23;*
> e) *BREEAM Refurbishment and Fit-Out (RFO), Pre-Assessment Report Rev0, 70 High Street, Manchester, 9 August 2023 stamped as received on 15-09-23; and*
> f) *AIR QUALITY ASSESSMENT, on behalf of, SEED ARCHITECTS LTD, for 70 HIGH STREET, MANCHESTER, REPORT DATE: 9 MAY 2023 by Miller Goodall stamped as received on 15-09-23;*
>
> *Reason - To ensure that the development is carried out in accordance with the approved plans and pursuant to Core Strategy policies CC4, CC7, SP1 and DM1 and saved Unitary Development Plan policies DC18.1, DC19.1 DC26.1."*

Another condition of this permission, this being Condition 9, relates to disabled access and states the following:

> *"The development hereby approved shall include for full disabled access to be provided in accordance with Dwgs 110 A and A202 B.*

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

In addition, Condition 16 of this permission, which relates to cycle parking, states the following:

"Prior to the first occupation of the development the cycle parking as shown in dwg 3293-A109 Rev A shall be fully implemented and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012)."

Following the approval of this Planning Permission reference: 138110/FO/2023, a Discharge of Condition Application was later submitted to the LPA (reference: CDN/24/0099) relating to Conditions 18 (building lighting and foraging bats) and 19 (survey for black redstarts). The details submitted in relation to both conditions were approved on 27th March 2024.

The Proposal

Condition 2

This Section 73 Application proposes to make a number of external and internal alterations to the development approved under reference: 138110/FO/2023. These proposed changes to the approved scheme are displayed in the plans supporting this Section 73 Application and are listed in detail overleaf. The alterations are proposed following further building survey work, as well as for the purposes of fire safety and complying with building regulations. It is also proposed to include 7 no. additional hotel rooms.

It is sought to vary the wording of Condition 2 as follows so that the plans submitted under this Application become the approved plans:

"The development hereby approved shall be carried out in accordance with the following drawings and documents:

a) *Location Plan A001 and Site Plan A002 Revision B;*
b) *Dwgs 3293-A109 Rev B, A110 Rev C, A111 Rev B, A112 Rev B, A113 Rev B, A114 Rev D, A115 Rev B, A200, A201, A202 Rev D, A203 Rev C, A300 Rev C, A500 Rev B and A501 Rev A;*

c) *Operation and Servicing Strategy 68-70 High St & 2 Turner St, Manchester, M4 1EA by SEED Architects stamped as received on 13-11-23;*
d) *Energy Statement, 70 High Street, Manchester, M4 1ES, Job number: 10364, Date: 04/08/2023 by Base Energy stamped as received on 15-09-23;*
e) *BREEAM Refurbishment and Fit-Out (RFO), Pre-Assessment Report Rev0, 70 High Street, Manchester, 9 August 2023 stamped as received on 15-09-23; and*
f) *AIR QUALITY ASSESSMENT, on behalf of, SEED ARCHITECTS LTD, for 70 HIGH STREET, MANCHESTER, REPORT DATE: 9 MAY 2023 by Miller Goodall stamped as received on 15-09-23;*

Reason - To ensure that the development is carried out in accordance with the approved plans and pursuant to Core Strategy policies CC4, CC7, SP1 and DM1 and saved Unitary Development Plan policies DC18.1, DC19.1 DC26.1."

The main external alterations proposed under this Application are noted to be as follows:

- Adjustments to dormer and rooflight sizes, and fully glazed Juliet balustrades added to dormer windows,
- The addition of a roof access hatch to flat roof,
- Slight roof modification during detailed design development to improve drainage and simplify construction. The height and external materials are not proposed to be amended from the approved scheme,
- The addition of edge protection balustrade on the roof,
- The addition of proposed Mechanical and Electrical (M&E) plant at side elevation, with a parapet wall to obscure this plant on the side elevation. Edge protection railing behind the parapet wall,
- The addition of a dry riser inlet on the side elevation, with the design to be complimentary to this historic building,
- The relocation of the fire door on the side elevation so that it is at the head of the stairs, as required for building control purposes.

Internally, the main alterations proposed under this Application are noted to be as follows:

- The addition of 7 no. en-suite bedrooms at basement level,
- The addition of a staff W.C. at basement level,
- A relocated enclosed area for 2 no. cycle parking spaces at basement level,
- The addition of a plant room at basement level,
- The revision to the staircase from ground floor level to basement level,
- The addition of a basement build up floor,
- New internal walls at ground floor level so as to create an entrance lobby,
- The reconfiguration of the first, second, third and fourth floors, including alterations to the siting and layout of the stairs,
- The introduction of a riser in the building.

Thus, the Applicant now seeks to include 7 no. additional hotel rooms at basement level under this Application. However, the number of hotel rooms already approved on the 1st – 4th floors will not change. The overall number of hotel rooms for visitors as a consequence of this Application will therefore be 33. It is considered that 7. no rooms on top of the 26 no. rooms already approved at the site will not result in any adverse impacts. From a highways perspective, the site is well served by public transport and therefore on-site car parking is not required for such a development. No external alterations are also required to accommodate the rooms at basement level. In addition, there will still be adequate space for refuse and cycle storage at the basement level.

The external alterations proposed to the approved scheme are considered to be minor, including the works to the roof. Whilst M&E equipment and a dry riser are now proposed, these will be on the less prominent side elevation of the building. The proposed parapet wall on the side elevation of the building will also help to screen the M&E equipment from public view. As before, it is considered that the amendments to the building will not adversely impact on the overall appearance of the building within the street scene.

In addition, similar to before, harm to the significance of the conservation area and nearby listed buildings will be at the very limited level of less than substantial, and there will still be public benefits that clearly outweigh this harm. These public benefits continue to be the improvement of the external appearance of the building, including works of repair and removal of inappropriate elements (such as external roller shutters), along with the social and economic benefits of bringing this building within the conservation area back into full use.

Thus, in line with Paragraph 140 of the NPPF, the proposal will not materially diminish the quality of the approved development

The proposed alterations will also not have any impacts on the already approved locations of the bat and bird boxes approved under Discharge of Condition Application reference: CDN/24/0099.

It is acknowledged that Condition 2 also approves an Operation and Servicing Strategy, Energy Statement, BREEAM Refurbishment and Fit-Out Pre-Assessment Report and Air Quality Assessment. However, the contents of these reports are still considered to be relevant to this proposed amended scheme, therefore these details do not require altering. Whilst the Air Quality Assessment refers to there being 26 no. rooms, the proposed alterations have no material impact on the findings of this Air Quality Assessment.

Conditions 9 and 16

Condition 9, which is a compliance condition relating to full disabled access, and Condition 16, which is a compliance condition relating to cycle parking, both refer to proposed floor plans approved under Planning Permission reference: 138110/FO/2023. By virtue of the proposed changes to the floor plans under this Section 73 Application (as detailed above), the plan numbers referred to in these conditions will also require varying so that they reflect the revised floor plans.

In relation to Condition 9, the revised ground floor plan continues to display a platform stairlift accessed from Thomas Street direct to the reception area (similar to the approved arrangement), as well as a lift at ground floor level in a similar position to already approve and this will provide access to all floors of the hotel. Thus, all areas of the hotel will remain fully accessible as a result of the proposed amendments and this arrangement is considered acceptable. As a consequence, it is being sought to vary Condition 9 to state the following:

> *"The development hereby approved shall include for full disabled access to be provided in accordance with Dwgs A110 C and A202 D.*
>
> *Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1."*

In relation to Condition 16, the revised basement floor plan submitted under this Variation of Condition Application displays a designated cycle storage area capable of accommodating 2 no. cycle parking spaces. This is the same number of cycle parking spaces as approved under the original planning permission, therefore this arrangement is considered acceptable. As a consequence, it is being sought to vary Condition 16 to state the following:

> *"Prior to the first occupation of the development the cycle parking as shown in dwg 3293-A109 Rev B shall be fully implemented and thereafter retained and maintained in situ.*
>
> *Reason - To ensure there is sufficient cycles stand provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).*

Conclusion

The Application seeks to vary Conditions 2, 9 and 16 of Planning Permission reference 138110/FO/2023 to allow the Applicant to make a number of internal and external alterations to the approved scheme.

The above sets out the amendments to the approved application and outlines why such amendments are considered acceptable.

Accordingly, we request that the LPA approves the Application, and that planning permission is granted.

We look forward to receiving your acknowledgement of this Application in due course. Should you require any clarification or additional information, please do not hesitate to contact us.

Yours faithfully,



Stuart Howden MRTPI

Northern Planners