

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mitchells & Butlers Retail Limited
27 Fleet Street
Birmingham
B3 1JP

Agent (if used)

Mr Nick Davey
The JTS Partnership LLP
Number One
The Drive
Great Warley
Brentwood
CM13 3DJ

Part 1 – Particulars of the application/development

Proposal: Change of use of mezzanine first, second and third floors from offices to hotel (Use Class C1) with associated internal alterations to front entrance, and new lift shaft to rear.

Location: 1-3 York Street, Manchester, M2 2AW

Date of application: 18 August 2022

Application number: 134736/FO/2022

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. Concerns were raised during the processing of the application about the need to reduce the impact on the character of the listed building in terms of the level of intervention. Suggestions were made about ways in which the scheme could be revised such that it would be acceptable.

Condition(s) attached to this decision

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:

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Drawings

MAB46 AS05	-						SITE LOCATION
PLAN							
MAB46 AP01	G	H	H				PROPOSED
GROUND & FIRST FLOOR PLANS							
MAB46 AP02	F	G	H	J	K		PROPOSED
SECOND FLOOR PLAN							
MAB46 AP03	E	F	G	H	J		PROPOSED
THIRD FLOOR PLAN							
MAB46 AP04	E	F	G	H			PROPOSED
FOURTH FLOOR PLAN							
MAB46 AP05	A	A					EXISTING &
PROPOSED BASEMENT FLOOR PLANS							
MAB46 AP06	-	-					EXISTING ROOF
PLAN							
MAB46 AP07	A	A					PROPOSED ROOF
PLAN							
MAB46 AP08	-	-					EXISTING
EXTERNAL ELEVATIONS 1 OF 2							
MAB46 AP09	-	-					EXISTING
EXTERNAL ELEVATIONS 2 OF 2							
MAB46 AP10	A	A					PROPOSED
EXTERNAL ELEVATIONS 1 OF 2							
MAB46 AP11	A	B					PROPOSED
EXTERNAL ELEVATIONS 2 OF 2							
MAB46 AP12	-						EXISTING
BUILDING SECTIONS A-A & B-B							
MAB46 AP13	-						EXISTING
BUILDING SECTIONS C-C & D-D							
MAB46 AP14	A	B	C	D			PROPOSED
BUILDING SECTIONS A-A & B-B							
MAB46 AP15	B	C	D	E			PROPOSED
BUILDING SECTIONS C-C & D-D							
MAB46 AP16	-	-					EXISTING &
PROPOSED 1ST FLOOR CORRIDOR ELEVATIONS							
MAB46 AP17	A	B	C	D	E		EXISTING &
PROPOSED 2ND FLOOR CORRIDOR ELEVATIONS							
MAB46 AP18	A	A	B	C	D		EXISTING &
PROPOSED 3RD FLOOR CORRIDOR ELEVATIONS							
MAB46 AP19	A	B	C	D	E		EXISTING &
PROPOSED 4TH FLOOR CORRIDOR ELEVATIONS							
MAB46 AP20	-	A	B	C			CORRIDOR
TYPICAL SECTION DETAILS							
MAB46 AP20.1	-	A		B			SECOND FLOOR
PROPOSED CORRIDOR CEILING PLAN							
MAB46 AP20.2	-	A					SECOND FLOOR
PROPOSED CORRIDOR CEILING PLAN							

MAB46 AP20.3	-	A		FOURTH FLOOR	
PROPOSED CORRIDOR CEILING PLAN					
MAB46 AP21	B	C	D	TYPICAL	
BEDROOM LAYOUT DETAILS					
MAB46 AP22	-	A	B	FIRST FLOOR	
SECONDARY GLAZING DETAILS					
MAB46 AP23	-	-	A	SECOND FLOOR	
SECONDARY GLAZING DETAILS					
MAB46 AP24	-	-	A	THIRD FLOOR	
SECONDARY GLAZING DETAILS					
MAB46 AP25	-	-	A	FOURTH FLOOR	
SECONDARY GLAZING DETAILS 1					
MAB46 AP26	-	-	A	FOURTH FLOOR	
SECONDARY GLAZING DETAILS 2					
MAB46 AP27	-	-		PROPOSED LIFT	
SHAFT THROUGH EXISTING ROOF					
MAB46 AP28	-	-	-	1ST FLOOR	
HOLES THROUGH EXISTING FLOOR					
MAB46 AP29	-	A	B	C	2ND FLOOR
HOLES THROUGH EXISTING FLOOR					
MAB46 AP30	-	A	B	C	3RD FLOOR
HOLES THROUGH EXISTING FLOOR					
MAB46 AP31	-	A	B	C	4TH FLOOR
HOLES THROUGH EXISTING FLOOR					
MAB46 AP32	-	-	A		UA ENTRANCE
DETAIL - YORK STREET- PLANS & ELEVATIONS					
MAB46 AP33	-	-	A	B	EXISTING AND
PROPOSED BUILDING SECTION E-E					
MAB46 AP35	-	A	B	C	PROPOSED
SECOND FLOOR - ABOVE CEILING M AND E SECTIONS					
MAB46 AP36	-				EXISTING ROOF
FRAME RECORDS					
MAB46 AP40		-			SHADOW GAP
CHIMNEY ABUTMENT DETAIL					
MAB46 AP41			-		PROPOSED
GLAZED LIGHT RELOCATION DETAIL					
MAB46 AP42			-		TYPE 6 -
SECONDARY GLAZING DETAILS					
MAB46 AP43			-		TYPE 7 -
SECONDARY GLAZING DETAILS					
MAB46 AP44		-	A		LIFT SHAFT
ABUTMENT SHOWING ALTERATION TO WINDOWS					
MAB46 AP50		-	A		EXISTING
GROUND FLOOR ENTRANCE LOBBY FLOOR FINISHES & WALL ELEVATIONS					
MAB46 AP51		-	A		PROPOSED
GROUND FLOOR ENTRANCE LOBBY FLOOR FINISHES & WALL ELEVATIONS					
H19147-SK-01	P1				SCHEMATIC
DETAILS FOR CREATION OF FLOOR VOIDS					
MAB B3322-PM-10-20-30-1001	P05				M&E
SERVICES BASEMENT AND GROUND FLOOR					
MAB B3322-PM-10-20-30-1002-P07	P07				
M&E SERVICES FIRST AND SECOND FLOORS					
MAB B3322-PM-10-20-30-1003	P06				M&E
SERVICES THIRD AND FOURTH FLOOR					

All above drawings received by City Council on dates as stated in email from Applicants Agent to MCC 22 March 2024 11:10 hrs.

Documents

- As Submitted with Application o JTS Planning Statement August 2022
- o Colliers Letter undated
- o JTS Heritage Statement dated July 2022
- o Ardent Consulting Passenger Lift Condition Survey
- o Alison Pike Design & Access Statement Issue 22 July 2022
- o Hepworth Noise Impact Assessment November 2021
- 20th February 2023 o JTS Heritage Statement dated July 2022 (Updated February 2023)
- o Alison Pike Addendum Design & Access Statement Issue 17 February 2023
- 4th September 2023 o JTS Heritage Statement dated July 2022 (Updated February 2023 & August 2023)
- o Alison Pike Addendum Design & Access Statement addendum Issue 24 August 2023
- 22nd December 2023 o JTS Heritage Statement Addendum dated December 2023
- o Alison Pike Addendum Design & Access Statement Issue 1 December 2023

Email from applicant's agent to MCC with drawing schedule and submission dates 22 March 2024 11:10 hrs.

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.

3) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

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 use commences.

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) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) Prior to the commencement of development, a construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include as a minimum:

Measures to control noise and vibration with neighbouring or adjoining properties;
Dust suppression measures;
Details of an emergency contact telephone number;
A community consultation plan and;
Sheeting of construction vehicles.
The development shall only be carried out in accordance with the approved management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, deliveries/waste collections on Sundays/Bank Holidays confined to 10:00 to 18:00)

Reason - To safeguard the amenities of the occupiers of nearby properties and pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

6) External plant/equipment/servicing / louvres/ extract terminals
a) Externally mounted ancillary plant, equipment and servicing including extraction terminals or louvres 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 commencement of the use 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. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 development 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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

7) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.
New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy. .

8) Air Quality Exposure Assessment:

Prior to commencement of the development, an air quality exposure assessment shall be submitted to and approved in writing by the City Council as local planning authority.

a) Prior to commencement of the development, mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

9) a) Prior to the commencement of development, the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

i. baseline samples and specifications of all materials to be used on all external elevations (including final details to Milk Street windows and grilles, extension and Roller shutters);

ii. drawings to illustrate details of full sized sample panels that will be produced in line with an agreed programme; and

iii. a programme for the production of the full sized sample panels and for a strategy for quality control management.

The panels to be produced shall include jointing and fixing details between all component materials and any component panels, details of any external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames.

b) The sample panels and quality control management strategy shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme and drawings as agreed above.

The development shall be carried out in accordance with the approved details.

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 SP1 and DM1 of the Core Strategy.

10) Prior to the use of the development, a scheme detailing cycle storage provision for both staff and customers of the hotel hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented prior to the first use of the development and remain in perpetuity for its lifetime.

Reason - In order to secure proper cycle storage on site in accordance with Core Strategy Policies CC5 and DM1, and the National Planning Policy Framework.

11) a) Before the first use of the development hereby approved commences, external lighting shall be designed and installed in accordance with a scheme that shall be submitted to and approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties. The development shall then proceed in accordance with the approved details.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

12) Prior to the first use of the development hereby approved, a delivery and servicing strategy, including a schedule of loading and unloading locations necessary for the operation of the approved use, shall be submitted to and agreed in writing by the City Council as local planning authority. Servicing shall thereafter take place in accordance with the approved strategy.

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM1 of the Core Strategy

13) (a) The development shall not commence until details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, as well as end use, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction and operation of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment for the construction phase of the development pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

(c) Within three months of the commencement of the approved use, a detailed report which takes into account the information and outcomes about local labour recruitment, for the end use of the development, pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

14) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

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.

15) Notwithstanding the annotations included on the approved plans, before first occupation of the development hereby approved a signage strategy shall be submitted to and agreed in writing by the City Council as local planning authority. All signage displayed at the property shall accord with the approved details.

Reason - In the interests of visual amenity to enable careful attention to signage details and the level of visual clutter is required to protect the character and appearance of this building in accordance with policies SP1 and DM1 of the Core Strategy.

16) The premises shall be used for Class C1 (Hotels) and for no other purpose (including any other purpose within Class C of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality in accordance with Core Strategy Policies SP1, EC2 and DM1, and the National Planning Policy Framework.

17) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

18) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) Refurbishment and Fit-Out (RFO) rating of at least a 'Very Good' rating. Post construction review certificate(s) shall be submitted to, and approved in writing by the City Council as local planning authority, within six months of the buildings hereby approved being first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, and the principles

contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

19) No development shall commence unless and until the Local Planning Authority has been provided with either:

A licence issued by Natural England pursuant to Regulation 55 of the Conservation for Habitats and Species Regulations 2019, authorising the specified development to go ahead along with details of any necessary mitigation

Or

Evidence that the site is registered on an appropriate bat 'low impact' licence (CL21)

Or

A statement in writing from the relevant licencing body or the LPA to the effect that it does not consider that the development will require a licence

Reason - To ensure the protection of bats and in order to comply with the Habitats Directive and pursuant to Core Strategy Policy EN4

20) The development hereby approved shall include for full disabled access to be provided in accordance with Section 2.13, and Section 3.11 INCLUSIVE DESIGN of the Design And Access Statement Issue: 2 22.07.2022 and Section 1.8 of DAS Revised Issue 2 24.08.2023 .

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

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 28 March 2024

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024