

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134736/FO/2022

Date registered valid: 18 August 2022

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

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

Ward(s): Deansgate Ward

Applicant: Mitchells & Butlers Retail Limited

Agent (if any): Mr Nick Davey The JTS Partnership LLP

Case officer: Tony Mitchell
Tel: 0161 234 4776
Email: anthony.mitchell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 March 2024

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 5 September 2022

Standard consultations:

Printed: 22 March 2023 Expired: 5 April 2023

Neighbour notifications

Printed: 2 September 2022 Expired: 23 September 2022

Site notice

Posted: 5 September 2022 Expired: 26 September 2022

Press advert

Published: 6 September 2022 Expired: 27 September 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: NA

Description of area

This application relates to the upper floors and loading bay area of No. 1-3 York Street which is a Grade II* listed building that is situated within the Upper King Street Conservation Area. The part of the building subject to this application was previously used as offices.

1-3 York Street was constructed as the headquarters of Parr's Bank in 1901/02. It is an impressive building, with its Edwardian Baroque style, red sandstone, elevations dominating the junction of York Street and Spring Gardens.

As built, it comprised a banking hall, waiting rooms, managers' offices and clerk's room on the ground floor, with the basement providing ancillary accommodation (including vaults). The main entrance to the Bank was on the corner of Spring Gardens and York Street, under a doomed turret, with a secondary entrance at the northern end of the Spring Gardens frontage.

The plan form is 'L' shaped, with principal frontages to both York Street and Spring Gardens. The clerk's room was accommodated in a single-storey structure (sat behind the main frontages), with glazed roof above. In the late 70s/early 1980s, the clerk's office was converted into a car park and service yard, with a pyramidal, slate, roof covering the glazed roof light.

The upper floors were constructed as speculative offices, accessed via a separate entrance at the eastern end of the York Street frontage. The offices were never intended to be, and have never been, occupied in conjunction with the ground floor accommodation.

Description of development

Planning permission is sought to convert the vacant offices at the first, second, third and fourth floor levels into a boutique hotel. The proposal also involves:-

- Removal of the entrance steps, lowering of the floor level in the ground floor lobby and re-hanging existing entrance door with new fanlight above to provide an accessible entrance.
- Internal alterations required to convert the offices to hotel use and install associated services.
- Alterations to second and third-floor windows in rear elevation in order to provide glazed-in louvres.
- Installation of slate vents on rear roof slope.
- Creation of new lift shaft to rear of the building.
- Reinstatement of original wall and ceiling finishes to third and fourth-floor corridors and part of second-floor corridor.

Consultations & Notification Responses

The proposal was advertised in the press, notices displayed on site and neighbours notified by letter – No representations have been received.

Highway Services – No representations received.

Environmental Health – Recommended conditions controlling noise, fumes, refuse and construction management.

Greater Manchester Police – Recommended a secure by design condition.

Issues

Policy Statutory duty Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest. Relevant policies Chapter 16 of the National Planning Policy Framework provides the guidance on how the statutory duty is to be put into practice. Paragraph 192 states that in determining applications, local planning authorities should take account of: • The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation • The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and • The desirability of new development making a positive contribution to local character and distinctiveness Regarding designated heritage assets, paragraph 193 states that 'great weight' should be given to their conservation and the more important the asset, the greater that weight should be; that significance can be lost through development within its setting. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 196 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.

Local development plan. Relevant in this case are: • Policy EN3 of the City Council's Local Development Framework Core Strategy, adopted July 2012. This states: Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the council in preserving, or where possible, enhancing the historic environment, the character, setting and accessibility of

areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Saved policy DC18 of the Unitary Development Plan (Conservation Areas), which states that the council will seek to preserve and enhance the character of its designated conservation areas.

Saved Policy DC19 (Listed Buildings), which states: In determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or historic Interest, 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 policy states furthermore that the council will not permit a change of use of a listed building where it would have a detrimental effect on its character or appearance; and not permit any external or internal alteration or addition where there would be an adverse effect on its architectural or historic character.

The impact of the proposed works upon the Character, significance and appearance of this grade II* listed building.

The works would involve the alteration and conversion and partial subdivision of vacant offices at the first, second, third and fourth floor levels into a boutique hotel. External alterations within a lightwell area are also proposed including to facilitate construction of a lift shaft. Such a proposal, subject to a condition requiring final details of the removal of original fabric, design details of replacement materials and recording of historic fabric is considered on this occasion to be acceptable and would in the long term ensure that the internal fabric of the building and its significance would be preserved and protected.

It is considered that the benefits of the proposal would outweigh the less than substantial harm caused to the affected heritage asset by the above described works and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement. The benefits of the proposals are that the proposal consists of works that would enhance the efficiency of the building and its character and appearance.

The proposal would not have an impact upon the character of the Upper King Street (Extension) Conservation Area 1985.

On 27th March 2012 the Department for Communities published the National Planning Policy Framework, which replaced planning policy statements and planning policy guidance notes, including PPS5 and PPG19. The following sections of the National Planning Policy Framework are of relevance to this application:

Section 1 - Building a strong and competitive economy- which is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future and places significant weight on the need to support economic growth through the planning system. For reasons set out below the proposals would align with this section.

Section 2 Ensuring the Vitality of Town Centres, - which promotes competitive town centre environments. For reasons set out below the proposals would align with this section.

Section 12 (Requiring Good Design) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor

advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. For reasons set out below the proposals would align with this section.

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy CC1 (Primary Economic Development Focus: City Centre and Fringe) –which identifies that City Centre as a strategic economic location and focus of employment growth encouraging a variety of high quality accommodation types, sizes and foot-plates to boost investment by local, national and international businesses and supports the provision of a range of economic development uses, such as retail, leisure, entertainment, cultural and tourism facilities within the City Centre to support the development of a vibrant employment location attractive to businesses, employees and visitors to the City Centre. The proposed use would align with this policy.

Policy SP1 (Spatial Principles), - which guides the strategic development of Manchester identifying the Regional Centre as the focus for economic and commercial development, leisure and cultural activity, alongside high quality city living. It states that all development within the City Centre regeneration area should have regard to the character and issues as identified in the Manchester City Centre Strategic Plan and outlines the following core development principles:

Development should:- Make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character;
- making a positive contribution to the health, safety and wellbeing of residents;
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- protect and enhance the built and natural environment;
- minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel; and
- Provide good access to sustainable transport provision.

Policy DM1 (Development Management) – Which states that all development should have regard to a number of specific issues the following of which are relevant to this application and for which more detailed guidance may be given within a supplementary planning document:-

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Refuse storage and collection.
- Vehicular access and car parking.

The alignment of the proposals with SP1 and DM1 is set out below.

Policy CC7 Mixed Use Development - identifies the City Centre as presenting the most viable opportunities for mixed-use development, and states that active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a mixed-use development which will create such an environment. In the context of this policy the principle of a hotel use in this location is acceptable.

Policy EN 3 Heritage – which states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. The alignment with this policy is set out below.

Policy CC4 (Visitors - Tourism, Culture and Leisure) - The development would improve facilities for visitors and provide essential infrastructure to meet demand for bed spaces. Policy CC9 (Design and Heritage) States that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including conservation areas and listed buildings. The alignment with this policy is set out below. Policy T2 (Accessible Areas of opportunity and need)- which states that the Council will actively manage the pattern of development to ensure that new development is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport. The alignment with this policy is set out below.

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation to the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Principle of the Use / Regeneration

Regeneration is an important planning consideration and there is a need to build on the incremental regeneration that has already taken place within the City Centre and the investment and environmental improvements which are continuing there.

The unit that is the subject of this application is located within a part of the City where this type of use would normally be acceptable in principle and the proposal would occupy vacant floorspace within a regeneration area.

It is noted that Manchester's current hotel accommodation stock is largely dominated by serviced apartments and large branded hotels. This boutique hotel will offer a smaller more personal experiential stay bridging the gap between the utility of the Mid-range hotel offering and the luxury of the more expensive 5 star properties.

The proposed use would be complementary to the existing uses, providing an additional facility for visitors to the City and in terms of the bar also local residents and businesses; subject to appropriate control of in terms of the hours of operation and the need to deal satisfactorily with noise, fumes, smells and storage and disposal of refuse.

In view of the above it is considered that the proposal has the potential to add to the area's vibrancy and contribute to the character of the emerging Mayfield Area. The proposals are therefore considered to align with Core Strategy policies CC1, SP1, CC4 CC7, T2 and DM1 and Places for Everyone Policy JP-Strat1.

Transport/Car Parking/Highway Safety –

The site is in an area that is well served by various methods of public transport including buses, trains and the Metrolink and the proposals for servicing and waste collections are considered to be acceptable. Given the above, the proposals are considered to be in accordance with Core policies DM1 and T2.

Crime and Security

The proposals would increase footfall in the area and improve levels of natural surveillance in the area. The proposal aligns with policies SP1 and DM1 of the Core Strategy.

Disabled Access

Access into the building has been outlined in detail in section 2.13 of the Design and Access statement, with a preference for all guests to share an equal guest journey/experience. Universally Accessible (UA) bedrooms and have been provided comprising 6.5% of the total proposed rooms (I.E. 3 OUT OF 46 ROOMS), exceeding the 5% threshold required by Building Regulations Part M2. There are two UA shower rooms and one UA bathroom, weighted in favour of showers as preferred under Part M2. Due to the need to provide a raised drainage floor to the majority of second floor, there are 12 (SUBSEQUENTLY REDUCE TO 10 ROOMS DUE TO CHANGES MADE TO THE LAYOUT) bedrooms with stepped corridor access that cannot be accessed by ambulant disabled guests. All other floor levels have level access via the main guest lift. Due to the demands of the existing building layout, it has not been possible to provide an interconnecting bedroom to any of the UA bedrooms (with direct door access between rooms), usually requested for the use of an accompanying carer, however the UA bedroom and 'standard' bedroom at first floor share a single corridor and could be sold as a 'suite' with a single shared corridor, therefore serving a similar function to conventional interconnecting bedrooms.

In all other respects, the hotel shall be fully compliant with Part M2 ('Access for the Disabled') of the Building Regulations approved documents. The operator shall also put in place any further measures to comply with requirements arising from the Equality Act 2010, including table seated check-in service at reception and the provision of induction hearing loops.

On this basis the proposals would be in line with Core Strategy policies 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

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) 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:

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

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	EXISTING &	PROPOSED
2ND FLOOR CORRIDOR ELEVATIONS						
MAB46 AP18	A	A	B	C	EXISTING &	PROPOSED
3RD FLOOR CORRIDOR ELEVATIONS						
MAB46 AP19	A	B	C	D	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					
MAB B3322-PM-10-20-30-1004 P03					M&E
SERVICES ROOF LEVEL					

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) 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) 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;
- 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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Environmental Health
Highway Services
Greater Manchester Police

Third Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
46 Fountain Street, Manchester, M2 2BE
Browns Bar And Brasserie, 1 York Street, Manchester, M2 2AW
Eighth Floor, 40 Spring Gardens, Manchester, M2 1EN
First Floor To Fifth Floor, 41 Spring Gardens, Manchester, M2 2BG
Basement And Ground Floor, 41 Spring Gardens, Manchester, M2 2GB
Basement, 41 Spring Gardens, Manchester, M2 2GB
50 Spring Gardens, Manchester, M2 1EN
43 Spring Gardens, Manchester, M2 2BG
Ground Floor Clinic, 19 Spring Gardens, Manchester, M2 1FB
SPACEZERO (NORTH) LTD, Mezzanine Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Second Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Sixth Floor, 40 Spring Gardens, Manchester, M2 1EN
House Of Evelyn, Unit A, 40 Spring Gardens, Manchester, M2 1EN
Fifth Floor, 19 Spring Gardens, Manchester, M2 1FB
Third Floor, 19 Spring Gardens, Manchester, M2 1FB
ALDERMORE BANK PLC, Fourth Floor, 40 Spring Gardens, Manchester, M2 1EN
Seventh Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
39 Spring Gardens, Manchester, M2 2BG
Ground Floor, 81 King Street, Manchester, M2 4AH
Fifth Floor, Tootal House, 19 - 21 Spring Gardens, Manchester, M2 1FB
3 York Street, Manchester, M2 2AW
Fourth Floor, 19 Spring Gardens, Manchester, M2 1FB
First Floor, 19 Spring Gardens, Manchester, M2 1FB
43A Brown Street, Manchester, M2 2JJ
Eleventh Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Sixth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Ground Floor, 26 Spring Gardens, Manchester, M2 1BB
Sixth Floor, 19 Spring Gardens, Manchester, M2 1FB
42 - 44 Fountain Street, Manchester, M2 2AE
Fourth Floor, 81 King Street, Manchester, M2 4AH
Fourth Floor, Tootal House, 19 - 21 Spring Gardens, Manchester, M2 1FB
First Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Eighth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Third Floor, 81 King Street, Manchester, M2 4AH
LOCKTON COMPANIES INTERNATIONAL, Sixth Floor, Tootal House, 19 - 21 Spring Gardens, Manchester, M2 1FB
Second Floor, 81 King Street, Manchester, M2 4AH
Fifth Floor, 40 Spring Gardens, Manchester, M2 1EN
Ground Floor, 19 Spring Gardens, Manchester, M2 1FB
Unit B, 40 Spring Gardens, Manchester, M2 1EN
Fifth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Fourth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Third Floor, 40 Spring Gardens, Manchester, M2 1EN

Ninth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Second Floor, 40 Spring Gardens, Manchester, M2 1EN
First Floor, 40 Spring Gardens, Manchester, M2 1EN
Seventh Floor, 40 Spring Gardens, Manchester, M2 1EN
Tenth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Second Floor, 19 Spring Gardens, Manchester, M2 1FB

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Upper King Street (Extension) Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL