

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

Mr Samuel Resende
Criterion Capital Ltd
16 Babmaes Street
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Agent (if used)

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M2 4AW

Part 1 – Particulars of the application/development

Proposal: Change of use of upper floors from offices (Use Class E) to hotel (Use Class C1), including infilling of lightwells, with boundary treatment to Meal Street.

Location: Royal Buildings , 2 Mosley Street, Manchester, M2 3AN

Date of application: 2 November 2023

Application number: 137450/FO/2023

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

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 ongoing advice that has resolved the issues associated with the proposal.

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:

- o 9609-BA-XX-00-DR-A-01050-P3: Existing Location Plan (Received 02/11/2023)

- o 9609-BUT-ZZ--01-DR-A-04000-P2: Proposed Basement Floor Plan (Received 30/06/2023)
- o 9609-BUT-ZZ-00-DR-A-04001-P3: Proposed Ground Floor Plan (Received 02/11/2023)
- o 9609-BUT-ZZ-01-DR-A-04002-P3: Proposed First Floor Plan (Received 05/10/2023)
- o 9609-BUT-ZZ-02-DR-A-04003-P3: Proposed Second Floor Plan (Received 05/10/2023)
- o 9609-BUT-ZZ-04-DR-A-04004-P3: Proposed Third Floor Plan (Received 05/10/2023)
- o 9609-BUT-ZZ-04-DR-A-04005-P3: Proposed Fourth Floor Plan (Received 05/10/2023)
- o 9609-BUT-ZZ-00-DR-A-04006-P2: Proposed Roof Plan (Received 30/06/2023)
- o 9609-BUT-ZZ-00-DR-A-05001-P7: Proposed South East Elevation (Received 12/12/2023)
- o 9609-BUT-ZZ-00-DR-A-05002-P5: Proposed North East Elevation (Received 19/10/2023)
- o 9609-BUT-ZZ-00-DR-A-05003-P3: Proposed North West Elevation (Received 19/10/2023)
- o 9609-BUT-ZZ-00-DR-A-05004-P3: Proposed South West Elevations (Received 19/10/2023)
- o 9609-BUT-ZZ-00-DR-A-06001-P4: Proposed Sections (Sheet 1 of 2) (Received 12/12/2023)
- o 9609-BUT-ZZ-00-DR-A-06002-P2: Proposed Sections (Sheet 2 of 2) (Received 30/06/2023)
- o Royal Buildings Design & Access Statement (Received 19/10/2023)
- o Waste Management Strategy (Received 30/06/2023)

Reason - 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.

3) Prior to the commencement of any external works, samples and specifications of all materials to be used in the external alterations hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

4) Prior to the commencement of any works relating to the approved boundary treatment on Meal Street, details of the siting, scale and appearance (Including materials) of the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out with the approved details and be in place prior to the first use of the development hereby approved.

Reason - To secure a satisfactory detailed development in accordance with the provisions of Manchester Core Strategy Policies SP1 and DM1 and the National Planning Policy Framework.

5) Prior to the first use of the development, a scheme detailing that the stopping up of Meal Street shall submitted for approval in writing by the City Council as Local Planning

Authority. The approved details shall be implemented prior to the first use of the development.

Reason - To secure safe and secure site access in accordance with Core Strategy Policies SP1 and DM1, and the National Planning Policy Framework.

6) Prior to the commencement of the development hereby approved, a detailed construction/fit-out management plan outlining working practices during the construction phase of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt the plan shall include detail on the following matters;

- o Hours of site opening/operation;
- o Display of an emergency contact number;
- o Details of wheel washing;
- o Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions;
- o Compound locations where relevant;
- o Details regarding location, removal and recycling of waste (Site waste management plan);
- o Phasing and quantification/classification of vehicular activity;
- o Types and frequency of vehicular demands - Routing strategy and swept path analysis;
- o Parking for construction vehicles and staff;
- o Sheeting over of construction vehicles;
- o A commentary/consideration of ongoing construction works in the locality;
- o Construction and demolition methods to be used;
- o The erection and maintenance of security hoardings where relevant;
- o Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times;
- o Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure;
- o Protection of Metrolink equipment generally and specifically the Overhead Line Equipment Building Fixing;
- o The retention of 24hr unhindered access to the Overhead Line Equipment, trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and end use;
- o Pedestrian management proposals;
- o Loading and unloading of plant and materials;
- o The design, erection, maintenance and dismantling of scaffolding.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The construction of the development shall then be carried out in accordance with the approved plan.

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

7) The development hereby approved shall be carried out in accordance with the Framework Travel Plan received by the City Council, as Local Planning Authority, on the 30 June 2023.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified Travel Plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first occupation of the development, a Travel Plan for the development which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

8) 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

9) 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.

10) 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 first use of the development 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 safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

11) Prior to the use of the development, the refuse storage facilities depicted on drawing no.9609-BUT-ZZ-00-DR-A-04001-P3 (Received 02/11/2023) shall be implemented and then made available, and be retained for the lifetime of the development.

Reason - In the interests of amenity and public health in accordance with Core Strategy Policy DM1 and the National Planning Policy for Waste.

12) a) The development hereby approved shall proceed in accordance with the submitted Air Quality Assessment (Prepared by Redmore Environmental; Dated 14/06/2023; Received 30/06/2023).

b) Prior to occupation of the development any proposed mitigation measures, shall be implemented and then verified as such in writing by the City Council as local planning authority. The approved scheme shall then 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.

13)) 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.

14) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 00:30 and 06:00 Monday to Sunday (Including Bank holidays).

Reason - In the interest of highway safety and not interfering with Metrolink operations in accordance with Core Strategy Policies SP1 and DM1, and the National Planning Policy Framework.

15) (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).

16) a) The development hereby approved shall be carried out in accordance with the submitted Crime Impact Assessment (Prepared by Greater Manchester Police; Dated 19/06/2023; Received 30/06/2023).

b) Prior to the first use of the development a scheme demonstrating that the development has achieved a secured by design accreditation shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interest of designing out criminal and anti-social behaviour in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

17) The development shall be carried out in accordance with the measures and recommendations made within the submitted Preliminary Bat Roost Assessment (Prepared by Collington Winter; Dated June 2023; Received 30/06/2023).

Reason - In order to secure a biodiversity net gain on site in accordance with Manchester Core Strategy Policy EN15, Places for Everyone Plan Policy JP-G9 and the National Planning Policy Framework.

18) a) Prior to the first occupation of the development hereby approved, details of bat box provision on site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt a minimum provision of 3no bat boxes should be proposed. The approved details shall then be installed on site.

b) Prior to the first occupation of the development, a verification report confirming the installation of the approved measures shall be submitted to and approved in writing by

the Local Planning Authority. The approved boxes shall then be retained thereafter for the lifetime of the development.

Reason - In order to secure a biodiversity net gain on site in accordance with Manchester Core Strategy Policy EN15, Places for Everyone Plan Policy JP-G9 and the National Planning Policy Framework.

19) The accessible rooms hereby approved, as shown on drawings 9609-BUT-ZZ-01-DR-A-04002-P3 (Received 05/10/2023), 9609-BUT-ZZ-02-DR-A-04003-P3 (Received 05/10/2023), 9609-BUT-ZZ-04-DR-A-04004-P3 (Received 05/10/2023) and 9609-BUT-ZZ-04-DR-A-04005-P3 (Received 05/10/2023), shall be made available for use prior to the first use of the development and be retained thereafter for its lifetime.

Reason - In the interest of securing fully accessible accommodation in accordance with Core Strategy Policy DM1, the National Planning Policy Framework and the Equality Act 2010.

20) 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.

21) 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.

22) 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.

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.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended, it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended, bats are a protected species and it is an offence to remove, damage or destroy a nest. If bats are suspected to be on site work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Network Management teams via Email at highwaylicences@manchester.gov.uk or highwaynetworkmanagement@manchester.gov.uk

Date: 14 December 2023

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