

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135858/FO/2022

Date registered valid: 28 December 2022

Proposal: Change of use and conversion to provide 14no. apartments (use class C3) on first to fourth floors, retention of existing restaurant use (in an altered format) on lower ground floor and upper ground floor (use class E(c)), with associated internal and external alterations

Address: 36 Charlotte Street, Manchester, M1 4FD

Ward(s): Deansgate Ward

Applicant: Mr Alfred Yeung ARE Assets

Agent (if any): Mr Tom Flanagan Paul Butler Associates

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

Recommendation: Approve

Date of recommendation: 18 August 2023

Application details

Type of application: Full Application Consent

Development type: Major Dwellings

Date of site visit:

Standard consultations:

Printed: 13 January 2023 Expired: 3 February 2023

Neighbour notifications

Printed: 13 January 2023 Expired: 3 February 2023

Site notice

Posted: 17 January 2023 Expired: 7 February 2023

Press advert

Published: 17 January 2023 Expired: 7 February 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: George Street Conservation Area 1985

Tree Preservation Order:

Description of site/building

The application relates to a vacant building that was constructed as a textile warehouse. The building is Grade II listed and is located on the junction of Charlotte Street and Portland Street. The building is six storeys above a basement. It is constructed of red brick with stone dressings beneath a slate roof that is set behind a brick parapet. The site is located within the George Street Conservation Area and is one of a number of buildings associated with the textile industry in this area.

The most recent uses of the building have been two restaurant units (Upper Ground and Lower Ground floors), with the four floors of accommodation above having been vacant. Today the building is vacant and has been for a number of years.

The property has been subject to a previous soft strip. This has removed later fabric / alterations and exposed historic features.

Description of area

The surrounding area is characterised by a mix of uses including hotels, office accommodation, educational institutes and evening time uses including bars and restaurants. These characteristics, as well as the employment opportunities available, make the area an attractive

place to live and residential accommodation can also be found in the surrounding area including within converted warehouse buildings similar to 36 Charlotte Street.

The subject building fronts Portland Street which is a main route through the City Centre. Despite the central location and significant investment in the area there are numerous vacant buildings. In more recent years there has been significant investment in vacant buildings, with many former warehouse buildings being converted into offices and apartments. However, there are further opportunities for vacant buildings to be given a new lease of life and for this part of the City Centre to be further utilised by local people and visitors to Manchester.

The site's central location means that there is ready access to public transport including frequent bus services which provide access across Greater Manchester and beyond. Metrolink Stations at Piccadilly Gardens and St Peter's Square are within 250m of the site, whilst Manchester Piccadilly and Oxford Road railway stations are within 500m.

Description of development

Planning and listed building consent are sought for the conversion of the building to provide 14no. apartments (use class C3) on first to fourth floors, retention of existing restaurant use (in an altered format) on lower ground floor and upper ground floor (use class E(c)), with associated internal and external alterations.

The proposed works are identified by the application drawings. These confirm the development will provide restaurant use on the lower ground and upper ground floors with the upper level seating c.60 persons and lower level seating c.80 persons. The basement level will remain as plant room. The restaurant will be accessed via a new entrance from Portland Street created within the former hovel. 14no. apartments will be provided across the 1st to 4th floors which will comprise 8no. 1 bed apartments and 6no. 2 bed apartments. A bike store and bin stores are to be provided at upper ground floor. To the Charlotte Street elevation of the building alteration will take place to create a DDA access from street level to provide access to the residential reception on the upper ground floor of the building.

Consultations & Notification Responses

Notices were placed on site, neighbours notified and the proposal was advertised in the press. No representations received.

Highway Services. Recommended conditions controlling waste management arrangements and construction management plan.

Environmental Health. Recommended conditions controlling: fumes, noise (external, residential and plant), construction management plan, refuse (storage and disposal), hours of opening of commercial unit and air quality.

Work and Skills. Recommended a local labour agreement condition.

National Amenities. No representations received.

GMAU. No objections and did not request any conditions.

GMP. No Representations received.

Issues

The Schemes Contribution to Regeneration and Housing Delivery – Regeneration is an important planning consideration. The City Centre is the primary economic driver of the region

and is crucial to its longer term economic success. There is an important link between economic growth, regeneration and the provision of new housing and as the national economy has entered a new growth cycle, it is essential that new homes are provided. In its current condition the vacant property has a negative impact on the street scene, the George Street Conservation Area and the wider environment.

The proposals would bring benefits in terms of the reuse of a currently vacant site. The building is currently vacant but was previously used as restaurant use on the lower ground and upper ground floors. The proposed scheme will retain these restaurant uses but in an altered format. Residential apartments are proposed on the 1st to 4th floors of the building above the restaurant uses. CS policy CC 7 confirms that residential use will be supported as part of mixed use developments where economic uses are also provided.

A number of nearby former warehouse buildings have been successfully converted to apartments. This issue of vacancy at the upper levels of warehouse buildings continues to be an issue in this part of the City Centre. The proposed residential use will allow the vacant floorspace to be sustained in active viable use, whilst it may also act as a catalyst for the redevelopment and reuse of other vacant buildings in the area.

The proposal would support population growth, contribute to the economy and help to sustain this part of the City Centre as a vibrant place to work and live. The proposal would contribute to meeting housing need within an area that has been identified as being suitable for new residential development. The proposal would appeal to a range of potential occupiers.

Given the above, the proposed development would be consistent with the objectives of the Central Manchester Regeneration Framework and the City Centre Strategic Plan and would complement and build upon Manchester City Council's current and planned regeneration initiatives, and as such would be consistent with sections 1 and 2 of the National Planning Policy Framework, and Core Strategy policies H1, SP1, EC1, CC1, CC3, CC4, CC7, CC8, CC10, EN1 and DM1.

Affordable housing provision – The number of units proposed falls below the 15 or more units level that requires a contribution to be made to the City-wide target for 20% of new housing provision to be affordable. It is considered that the development complies with policies H8 of the Manchester Core Strategy.

Residential development - density/type/accommodation standards - The proposed development would comply with the spaces standards as set out in the Residential Quality Guidance and National Space Standards. It is considered that the development complies with policies SP1, H1, H2, H4 and DM1 of the Manchester Core Strategy.

Design Issues, relationship to context and impact on the Character of the adjacent Conservation Area and setting of Listed Buildings - It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of “sustainable development” (NPPF Paragraph 8).

In order to meet this key planning objective, in this instance the development should sustain and contribute to the stimulation of a thriving historic environment.

The proposed change of use would help secure the full use of the property in a prominent location in the George Street Conservation Area. The proposal will also deliver specific positive heritage impacts which include:

- Removal of previous poor quality interventions and fabric.
- Reinstatement of 2 x lower ground floor windows to Portland Street.
- Plaster repairs to walls and ceiling.
- Repairs and sanding of timber floors.
- Repair of historic windows and surrounds.
- Cleaning and decoration of columns and beams.
- Redecoration throughout with the scheme of redecoration to be informed by historic paint analysis.
- Retention, repair and restoration of historic elements including both staircases including associated features; loading bay doors; historic skirtings and cornicing.

Whilst there are some negative impacts these are judged to be necessary in terms of facilitating the conversion and reuse of the building such as subdivision, installation of services, achieving circulation and disabled access; ensuring fire separation, and achieving acoustic and energy

requirements. The negative impacts are limited and have been determined through a conservation-led approach to minimise impact on the heritage values of the building / fabric. Furthermore, impactful works are largely reversible and new interventions will be read as later additions in line with heritage principles. Amendments to the scheme made during the determination period have further mitigated adverse impact.

Conditions attached to any consent granted would ensure that the methodology for the works and detailing was appropriate to the buildings character and listed status.

On balance, in overview the impact of proposed works is deemed to be less than substantial.

In the context of the NPPF and S66 of the Act, it is necessary to have special regard to the desirability of preserving any features of special architectural or historic interest which the building possesses.

Any harm is considered to be 'less than substantial', and as such paragraph 202 of the NPPF requires that the impact of the development on the listed building and character of the conservation area should be evaluated against the mitigation that would be provided from the wider public benefits of the scheme which in this case are heritage benefits and environmental benefits through ensuring that occupation of the heritage asset. Whilst the overall impact of any harm would be mitigated by the proposed detailing and the control of this via conditions.

It is considered for the reasons outlined above that the overall approach to the proposed works would, have an acceptable impact on the character and historic fabric of the listed building and the preservation of features of historic interest.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to considering the impact on and preserving the setting of the listed buildings and conservation areas as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs 199 and 202 of the NPPF and that in view of the above it is considered that the proposed development would on balance be consistent with the development would be consistent with sections 12 and 16 of the National Planning Policy Framework policies SP1, DM1, EN3 and CC9 and of the Core Strategy and saved UDP policies 18.1 and 19.1.

Car Parking, cycle parking and relationship to public transport infrastructure The site is highly accessible via public transport including Metrolink, Metroshuttle, mainline rail and bus and the on-going public transport improvements within the City Centre would further enhance accessibility. 14 cycle parking space (1 per unit dwelling) be provided. On the basis of the above the proposals are consistent with Core Strategy Policies DM1, T1 and T2.

Energy Efficiency and Sustainability - New developments should attain high standards of sustainability because of their high profile and local impact. The Code for Sustainable Homes was revoked in March 2015 but it is important to understand how a development performs in respect of waste efficiency and energy standards. Notwithstanding this the proposal is supported by an Environmental Standards

The report confirms that heat recovery ventilation units will be provided to the apartments, whilst the commercial units are likely to require comfort cooling which can be provided via a reverse cycle heat pump system to provide heating and cooling to the restaurant. In addition high efficiency lighting and lighting controls can be provided to significantly reduce building energy consumption. Other sustainability measures are fully considered within the report although have been discounted due to technical reasons or constraints of the site / building including its Grade II listed status.

The proposal would deliver a scheme that is efficient and cost effective during occupation and accords with the adopted Core Strategy Policy EN 4, EN6 and the Supplementary Planning Document (SPD) criteria.

Air Quality

The site is located within an Air Quality Management Area (AQMA), which covers the whole of the City Centre, which could potentially exceed the annual nitrogen dioxide (NO₂) air quality objective. Information in relation to air quality impact has been submitted with the application. The development would be located in the City Centre and has access to all forms of public

transport including tram, bus and rail and it is considered that the scheme would be unlikely to significantly affect air quality for future residents of the development.

Noise

Given the nature of uses within the adjacent area there is a need for a suitable level of acoustic insulation and ventilation to the property to attain acceptable internal noise standards within the property whilst preventing overheating.

The proposal involves restaurant uses and acoustic insulation and ventilation can be ensured through condition to be attached to any consent granted. New housing would complement the existing residential and commercial uses, would activate a vacant site. There are no amenity issues associated with the proposal that would impact on surrounding residential properties. It is considered that the proposals are therefore consistent with Core Strategy Policies DM1 and SP1 and saved UDP policy 26.1.

Fumes, vapours and odours

The proposed restaurant unit will require kitchen extract. The type and extent of this system and any associated odour treatment would depend on the kitchen equipment and cooking type, and in turn the end-operator which is yet to be confirmed. A flue route for the kitchen extract is indicated on the drawings. This follows the route of the existing flue, rising up the building on the Reyner Street façade to discharge above roof level. This method of extract will allow for a 'worse-case' scenario to be catered for in terms of the maximum extent of odour control and extract.

On this basis the proposal is acceptable in principle and can be supported at application stage. A condition requiring full details of the extract and ventilation system for the commercial kitchen can be applied to allow these details to be confirmed once an end-operator for the restaurant is known. It is considered that the proposals are therefore consistent with Core Strategy Policies DM1 and SP1.

Crime and Disorder - The increased impression of activity from the re-use of this building would improve security and surveillance. Incorporation of the recommendations from consultation with GMP Secure by Design will be secured through a condition. Subject to compliance with this and in view of the above the proposals are consistent with Core Strategy Policy DM1.

Waste and Recycling - Refuse and recycling facilities would be provided within upper ground floor bin stores, with separate provision made for the residential and commercial elements of the scheme. Separate bins would be provided for refuse, paper, glass and cans, and food waste. Waste collection crews will be provided with a key/code to access the bin store to allow collections to be made. It is anticipated that waste collection crews will park on Reyner Street or Charlotte Street. In view of the above it is considered that this is consistent with Core Strategy policy DM1.

Disabled access – Level access is provided to the restaurant via the proposed main entrance. A platform lift from this level will provide access up to the upper ground floor. An accessible WC is provided on this level. Although disabled access is not possible to the lower ground floor level this space will simply replicate the function of the upper ground floor therefore this is not considered essential particularly when considering the implications for the listed building of achieving this.

With regards to the residential element a new disabled access from the street will be created through the adaption and alteration of an existing window opening located adjacent to the Charlotte Street entrance. Whilst this will have some heritage impact, through an options appraisal it was considered that this was the most appropriate and sensitive way in which to ensure wheelchair access into the building. The disabled access leads to a lobby where a lift provides access to the residential reception area on the first floor, from here there is level access through to the building's main lift which will provide level access to the upper residential floors. All apartments are single level, except for two on the fourth floor where the living/dining area will be raised up to allow for outlook from existing windows.

In view of the above with respect to disabled access the proposals are considered on balance to be consistent with the requirements of Core Strategy Policy DM1 and DC7.

Ecology

A Daytime Bat Survey & Nesting Bird Survey of the building has been submitted. No evidence of bat activity was found within the building. The report confirms that the building does not sit adjacent to any potential bat foraging habitats, such as canals, rivers or train lines, making bat presence less likely, whilst this part of the city is well-lit. The report concludes that since no evidence of bat activity was found and based on the location of the building, the building is evaluated as having negligible/low potential to support bats. The impact to the building will be low, with the upper floors converted. No work is proposed to the roof.

Notwithstanding these findings the report advises that a proportionate approach to the development is to recommend a precautionary working method statement be implemented. Therefore, the following approach is recommended:

- Prior to work commencing, a toolbox talk should be given to the site personnel to explain how to identify bats and bat evidence, relevant legislation and what to do if a bat is found.
- If a bat, or evidence of a bat, is found during works, work must temporarily cease and a suitably licensed and experienced ecologist be contacted for advice.
- Site personnel should not handle bats.

The implementation of the above can be secured through an informative added to the decision notice.

Biodiversity enhancement of the site can be achieved by the incorporation, where possible, of small bat bricks and bird nesting boxes. Again, the implementation of the above can be secured through a condition.

Response to consultees.

It is considered appropriate to impose conditions as recommended by consultees responses set out earlier in this report.

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:

Drawings

2022-1008M - 010 B	Accommodation Schedule
2022-1008M - 011 E	Proposed Basement Plan
2022-1008M - 012 D	Proposed Lower Ground Floor Plan
2022-1008M - 013 D	Proposed Upper Ground Floor Plan
2022-1008M - 014 D	Proposed First Floor Plan
2022-1008M - 015 D	Proposed Second Floor Plan
2022-1008M - 016 D	Proposed Third Floor Plan
2022-1008M - 017 E	Proposed Fourth Floor Plan
2022-1008M - 018 C	Proposed Roof Plan
2022-1008M - 019 C	Proposed Disabled Access Details / Elevation
2022-1008M - 021 D	Removed Elements Basement Plan
2022-1008M - 022 C	Removed Elements Lower GF Plan
2022-1008M - 023 C	Removed Elements Upper GF Plan
2022-1008M - 024 C	Removed Elements First Floor Plan
2022-1008M - 025 B	Removed Elements Second Floor Plan
2022-1008M - 026 B	Removed Elements Third Floor Plan
2022-1008M - 027 D	Removed Elements Fourth Floor Plan
2022-1008M - 031 D	Wall Finish Details - Basement Wall
2022-1008M - 032 C	Wall Finish Details -Lower Ground Floor
2022-1008M - 033 C	Wall Finish Details -Upper Ground Floor
2022-1008M - 034 C	Wall Finish Details -First Floor
2022-1008M - 035 C	Wall Finish Details -Second Floor
2022-1008M - 036 C	Wall Finish Details -Third Floor
2022-1008M - 037 D	Wall Finish Details -Fourth Floor
2022-1008M - 041 D	Basement Ceiling
2022-1008M - 042 C	Ceiling Plan-Lower Ground Floor
2022-1008M - 043 B	Ceiling Plan-Upper Ground Floor
2022-1008M - 044 C	Ceiling Plan-First Floor
2022-1008M - 045 C	Ceiling Plan-Second Floor

2022-1008M - 046 C	Ceiling Plan-Third Floor
2022-1008M - 047 D	Ceiling Plan-Fourth Floor
2022-1008M - 051 B	Proposed Charlotte Street Elevation
2022-1008M - 052 E	Proposed Raynor Street Elevation
2022-1008M - 053 C	Proposed Portland Street Elevation
2022-1008M - 054 D	Proposed Cross Sections Fire Strategy
2022-1008M - 055 D	Proposed Window Schedule
2022-1008M - 056 B	Proposed Window Schedule
2022-1008M - 057 B	Proposed Door Schedule
2022-1008M - 058 A	Lift Schedule
2022-1008M - 059 A	Site Elevation
2022-1008M - 060 A	Proposed Floor Buildup Details
2022-1008M - 061	Reyner Street Ventilation Detail

SK-S-0020 P05 - Basement level indicating lower ground floor structure over
SK-S-0021 P04 - Lower ground floor indicating upper ground floor structure over
SK-S-0022 P03 - Upper ground floor indicating upper ground floor structure over
SK-S-0023 P01 - First floor structure indicating second floor structure over
SK-S-0024 P03 - Second floor structure indicating third floor structure over
SK-S-0025 P03 - Third floor structure indicating fourth floor structure over
SK-S-0026 P03 - Fourth floor structure indicating roof structure over
SK-S-0027 P01 - Roof structure indicating platform access

4193-B-SK102	P5	Mechanical & Electrical Services - Basement Level	
4193-LG-SK103	P5	Mechanical & Electrical Services - Lower Ground Level	
4193-UG-SK104	P4	Mechanical & Electrical Services - Upper Ground Level	
4193-1-SK105	P4	Mechanical & Electrical Services - First Floor	
4193-2-SK106	P3	Mechanical & Electrical Services - Second Floor	
4193-3-SK107	P4	Mechanical & Electrical Services - Third Floor	
4193-4-SK108	P4	Mechanical & Electrical Services - Fourth Floor	
4193-R-SK109	P4	Mechanical & Electrical Services - Roof Level	
4193-1-SK110	P3	Electrical Services - Typical Apartments	
4193-B-SK111	P3	Mechanical Services - Drainage Layout Basement	
4193-LG-SK112	P3	Mechanical Services - Drainage Layout Lower Ground Level	
4193-UG-SK113	P2	Mechanical Services - Drainage Layout Upper Ground Level	-
4193-1-SK114	P2	Mechanical Services - Drainage Layout Typical Apartments	
4193-2-SK115	P2	Mechanical Services - Drainage Layout Second Floor	
4193-3-SK116	P2	Mechanical Services - Drainage Layout Third Floor	
4193-4-SK117	P2	Mechanical Services - Drainage Layout Fourth Floor	
4193-0-SK118	P4	Mechanical Services - External Elevation	
4193-0-SK119	P1	Mechanical Services - External Ventilation Elevation - Reyner Street	
4193-0-SK120	P1	Mechanical Services - External Ventilation Elevation - Portland Street	

Documents

- o Planning Statement prepared by Paul Butler Associates (13.12.2022).
- o Heritage Statement prepared by Paul Butler Associates (12.05.2023).
- o Outline Structural Engineering Proposals by Dyse Structural Engineers (LM21346-DYSE-XX-ZZ-RP-S-0002 P02, 13.12.2022)
- o Sustainable Drainage Strategy prepared by Dyse Structural Engineers (LM21346-DYSE-XX-ZZ-TN-S-0003, Technical Note 3 P01, 13.12.2022)

- o Mechanical and Electrical Engineering Services Strategy Report by Parker Wilson Consulting (PG/AL/4193, Revision A, 02/12/22)
- o Mechanical and Electrical Engineering Services Kitchen Ventilation Report by Parker Wilson Consulting (PG/4193, Revision C, 28/07/23)
- o Environmental Standards Statement prepared by Parker Wilson Consulting (PG/4193 Revision A)
- o Crime Impact Statement prepared by Greater Manchester Police Design for Security. (ref: 2013/0472/CIS/03)
- o Daytime Bat Survey & Nesting Bird Survey prepared by Rachel Hacking Ecology (November 2022).
- o Air Quality Assessment prepared by Redmore Environmental. (15.11.2023)
- o Noise Survey and Noise Impact Assessment prepared by dBx Acoustics (22101-R01D-BT- Fraser House, Manchester, 13/04/2023)
- o Waste Management Strategy prepared by Paul Butler Associates.
- o 2022-1008M -100 Rev 3 Design Access Statement

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) Notwithstanding the details as set out in condition 2 above before the following element proceeds final details (including where appropriate specification and method statement) of the following shall be submitted to and approved in writing by the City Council as Local Planning Authority:

- (a) Full and final details of the new accessible entrance from Charlotte Street.
- (b) Final details of the proposed joiner, fixing and method statement for works to the existing bricked-up opening and roller shutter to the GF of Rayner Street (WLG13).
- (c) Final details of new external wall vents proposed as part of MVHR system.
- (d) Full and final details of opaque panels proposed to 2no. windows at 4th level to Charlotte Street elevation.
- (e) Full and final details of the proposed repair schedule and refurbishment works to windows
- (f) Full and final details of the proposed new windows, including works to accommodate new access on the fourth floor
- (g) Paintwork analysis and the full and final details of the works to original/historic features, including method statement and redecoration.
- (h) Full and final detail of any external louvre proposed for commercial use.

All of the above shall be implemented in accordance with the approved details before first use of the building.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential

properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

In order to achieve this the scheme hereby approved shall be implemented in accordance with the recommendations in the dBx Acoustics Noise Survey and Noise Impact Assessment (22101-R01C-BT- Fraser House, Manchester)

b) Upon completion of the development and prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 , H1and DM1 of the Core Strategy.

5) a) Prior to the first use of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. For the avoidance of doubt, externally mounted 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 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved under part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant noise on the local area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

6) Before development commences details 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 secure by design accreditation.

Reason : To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy

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

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

8) 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; any works approved shall be implemented before the use commences. The scheme must include detailed designs of the any flues and associated equipment. 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. The approved scheme shall be implemented prior to first use of the ground floor of the building.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

9) The restaurant premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Thursday 11am to 23:00

Friday and Saturday 10am to 00:00

Sunday 10am to 23:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

10) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the Waste Management Proforma received on 28.12.2023 for the ground floor commercial use shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

11) Prior to the occupation of the development hereby approved, details of the provision of nesting opportunities for birds or roosting opportunities for bats on the refurbished building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to first use of the development and thereafter retained.

Reason: With regards to biodiversity enhancement, in accordance with policy EN15 of the Core Strategy and the National Planning Policy Framework.

12) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose

other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

14) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o 24 hour emergency contact number;
- o Hours of operation;
- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. 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. Development shall be carried out in accordance with the approved construction management plan.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

15) The development hereby approved shall be carried out in accordance with the targets within the Environmental Standards Statement by Parker Wilson Consulting (PG/4193 Revision A 13/12/2017) and a post construction review certificate/statement shall be submitted for approval, within a timeframe that has been previously agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, DM1, EN4 and EN8 of Manchester's Core Strategy, and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

16) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Portland Street and Charlotte Street shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises such as existing external plant on Reyner Street and Vina Karaoke Bar.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved when providing adequate ventilation as defined by Approved Document F of the Building Regulations (whole dwelling ventilation):

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

Higher internal noise levels than those specified above may be allowed when higher rates of ventilation are required in relation to the overheating condition.

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

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

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating. To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 , H1and DM1 of the Core Strategy.

17) a) Before the development commences for the residential element of the scheme 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 , H1and DM1 of the Core Strategy.

18) a) Prior to commencement of the development, an air quality impact and exposure assessment together with any 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.

19) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented.

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.

20) Construction Phase. a) Prior to the commencement of the development, details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, 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 of the development. In this condition a Local Labour 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 Labour Proposal iii) measures to monitor and review the effectiveness of the Local labour 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 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).

21) The ground floor commercial premises shall be used for Class E (Commercial, Business and Services) within the following criteria: E(b) (Food and Drink) only and for no other purpose (including any other purpose within Class E 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, for reasons of impact upon the vitality and viability of town and local centres, residential amenity and highway safety, in accordance with policies SP1 and DM1 of the Core Strategy.

22) The development hereby approved must include and retain the 14 cycle spaces as shown on drawing : 2022-1008M - 013 D Proposed Upper Ground Floor Plan.

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Work & Skills Team
Heritage & Urban Design
National Amenity Societies
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit

56 Portland Street, Manchester, M1 4QU
1 - 37 Faulkner Street, Manchester, M1 4ET
Sub Basement, 36 Charlotte Street, Manchester, M1 4FD
Caffe Nero, 32 Portland Street, Manchester, M1 4GS
Second Floor Rooms 8 And 9, 41 Faulkner Street, Manchester, M1 4EE
Third Floor Office, 36 Charlotte Street, Manchester, M1 4FD
46 Portland Street, Manchester, M1 4QU
First Floor And Second Floor, 36 Charlotte Street, Manchester, M1 4FD
Yates Wine Lodge, 49 Portland Street, Manchester, M1 3LD
Consulate General Of The Republic Of Poland, 51 Portland Street, Manchester, M1 3LD
60 Portland Street, Manchester, M1 4QU
44 Portland Street, Manchester, M1 4GS
45 - 47 Faulkner Street, Manchester, M1 4EE
Twelfth Floor, 53 Portland Street, Manchester, M1 3LD
58 - 60 Portland Street, Manchester, M1 4QU
Britannia Hotel, 35 Portland Street, Manchester, M1 3LA
48 Portland Street, Manchester, M1 4QU
52 Portland Street, Manchester, M1 4QU
Sub Basement And Basement, 41 Faulkner Street, Manchester, M1 4EE
Ground Floor, 41 Faulkner Street, Manchester, M1 4EE
Third Floor, 41 Faulkner Street, Manchester, M1 4EE
Eleventh Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Tenth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Second Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
First Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Second Floor, 53 Portland Street, Manchester, M1 3LD
Fourth Floor, 53 Portland Street, Manchester, M1 3LD
Eighteenth Floor, 53 Portland Street, Manchester, M1 3LD
WING FAT SUPERMARKET LTD, 49 Faulkner Street, Manchester, M1 4EE
First Floor And Second Floor Room 7, 41 Faulkner Street, Manchester, M1 4EE
First Floor, 44 Portland Street, Manchester, M1 4GS
Flat 26, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 11, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 9, Faulkner Court, Faulkner Street, Manchester, M1 4EE
54 Portland Street, Manchester, M1 4QU
Flat 31, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 25, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 23, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Third Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Twentieth Floor, 53 Portland Street, Manchester, M1 3LD
Flat 21, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 19, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 7, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 20, Faulkner Court, Faulkner Street, Manchester, M1 4EE

Flat 17, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 6, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 5, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Tenth Floor, 53 Portland Street, Manchester, M1 3LD
Seventh Floor, 53 Portland Street, Manchester, M1 3LD
23 Nicholas Street, Manchester, M1 4EN
Ground Floor, 45 - 47 Faulkner Street, Manchester, M1 4EE
Third Floor, 53 Portland Street, Manchester, M1 3LD
Sixteenth Floor, 53 Portland Street, Manchester, M1 3LD
Sixth Floor, 53 Portland Street, Manchester, M1 3LD
Ninth Floor, 53 Portland Street, Manchester, M1 3LD
Twelfth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Eighth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Fourth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Sixth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Seventh Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Ninth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Fifth Floor, 53 Portland Street, Manchester, M1 3LD
Fifth Floor, 1 - 37 Faulkner Street, Manchester, M1 4ET
Second Floor, 44 Portland Street, Manchester, M1 4GS
First Floor To Third Floor, 45 - 47 Faulkner Street, Manchester, M1 4EE
41 Faulkner Street, Manchester, M1 4EE
First Floor And Second Floor, 60 Portland Street, Manchester, M1 4QU
44 - 46 Faulkner Street, Manchester, M1 4FH
Basement To First Floor, 58 - 60 Portland Street, Manchester, M1 4QT
Fourth Floor, 52 Portland Street, Manchester, M1 4QU
Basement And Ground Floor Restaurant, 36 Charlotte Street, Manchester, M1 4FD
Basement, Lindencourt House, 34 Charlotte Street, Manchester, M1 4FD
Second Floor, 36 Charlotte Street, Manchester, M1 4FD
Flat 12, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 10, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 3, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 8, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 1, Faulkner Court, Faulkner Street, Manchester, M1 4EE
42 Portland Street, Manchester, M1 4GS
39 Faulkner Street, Manchester, M1 4EE
Seventeenth Floor, 53 Portland Street, Manchester, M1 3LD
Nineteenth Floor, 53 Portland Street, Manchester, M1 3LD
Second Floor, 52 Portland Street, Manchester, M1 4QU
Thirteenth Floor, 53 Portland Street, Manchester, M1 3LD
Fourteenth Floor, 53 Portland Street, Manchester, M1 3LD
Second Floor, 41 Faulkner Street, Manchester, M1 4EE
Eighth Floor, 53 Portland Street, Manchester, M1 2BP
Eleventh Floor, 53 Portland Street, Manchester, M1 3LD
Twenty First Floor, 53 Portland Street, Manchester, M1 3LD
Ground Floor, 53 Portland Street, Manchester, M1 3LD
Fifteenth Floor, 53 Portland Street, Manchester, M1 3LD
Ground Floor To Fourth Floor, Lindencourt House, 34 Charlotte Street, Manchester, M1 4FD
50 Portland Street, Manchester, M1 4QU
Fourth Floor Office, 36 Charlotte Street, Manchester, M1 4FD
Flat 2, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 24, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 16, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 4, Faulkner Court, Faulkner Street, Manchester, M1 4EE

Flat 14, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 3, 54 Portland Street, Manchester, M1 4QU
Flat 33, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 32, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 27, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 22, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 28, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 15, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 2, 54 Portland Street, Manchester, M1 4QU
First Floor, 52 Portland Street, Manchester, M1 4QU
Fourth Floor, 44 Portland Street, Manchester, M1 4GS
First Floor, 53 Portland Street, Manchester, M1 3LD
Basement, 52 Portland Street, Manchester, M1 4QU
Flat 13, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Flat 1, 54 Portland Street, Manchester, M1 4QU
Flat 18, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Third Floor, 44 Portland Street, Manchester, M1 4GS
Flat 29, Faulkner Court, Faulkner Street, Manchester, M1 4EE
Basement, 45 - 47 Faulkner Street, Manchester, M1 4EE
Flat 30, Faulkner Court, Faulkner Street, Manchester, M1 4EE

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 - George Street Conservation Area 1985
Area Team Boundary - Name: CENTRAL