MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138415/NMC/2023
Date registered valid:	26 October 2023
Proposal:	Non-material amendment to Condition 22 (Noise Use) attached to planning permission 134640/FO/2022.
Address:	Ramada Renaissance Hotel, Blackfriars Street, Manchester, M3 2EQ
Ward(s):	Deansgate Ward
Applicant:	Deansgate SOF Alliance LeaseCo Ltd
Agent (if any):	Miss Lauren Neary Avison Young
Case officer:	Angela Leckie Tel: 0161 234 4651 Email: angela.leckie@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	22-11-23

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The 0.19 hectare application site lies within the Renaissance hotel complex which comprises the former hotel, Premier House office block, and NCP car park. That wider site is bounded by Blackfriars, Deansgate, the River Irwell and Victoria Bridge Street. The site is to the north of the area known as the Medieval Quarter which includes the Grade I Listed Manchester Cathedral and Grade I Listed Chethams Complex. It is adjacent to the St Ann's Square, Cathedral and Parsonage Gardens Conservation Areas.

Consent was granted in 2022 (application ref no 134640/FO/2022) for the erection of a 5-storey building comprising new office space (Use Class E) (floors 1-4) with ground floor reception area and commercial units x 4 (retail/ food and beverage floorspace (Class E/ Sui Generis Drinking Establishment Use), supporting infrastructure and ancillary facilities including changing and shower facilities, refuse store, plant areas, cycle store and other ancillary facilities within lower ground floor, new rooftop amenity space for use of occupiers of floors 1-4, new roof top plant, new public realm and landscaping, new escape stair to car park below and amendments to existing servicing arrangements including new service yard entrance, following demolition of the existing structure with the exception of structural elements that tie in with the Renaissance Hotel

The site lies within the wider 2018 Ramada Complex SRF Area and specific area which is the subject of this application is located in the south eastern portion of the SRF Area. The wider site has long been earmarked for comprehensive development, including most recently within the adopted Ramada Complex Strategic Regeneration Framework (SRF), adopted by Manchester City Council in May 2018. The site was recently acquired by the Applicant as part of a joint venture between Property Alliance Group and Starwood Capital Group, with a view to redeveloping the wider site moving forward.

The emerging wider proposals comprise part refurbishment, part redevelopment of the existing buildings to provide high quality new hotel, office and residential use, with new public realm. In addition to the above application, consent was granted earlier in 2021 (application ref no 129468/FO/2021) for the replacement of windows to the hotel building. This was proposed as part of initial enabling works as part of the wider plans for the complex which will see the hotel building retained, overhauled and upgraded, to facilitate the creation of a safe and watertight enclosure. The works are also necessary to allow further investigations and some initial internal enabling works to progress within the hotel building ahead of the more detailed proposals coming forward for the redevelopment of the wider site.

Consent has also been granted under application ref no 130446/FO/2021 for Development comprising external alterations to the existing hotel building including new building entrance, creation of a rooftop bar and outdoor terrace, modifications to the conference suite mezzanine block, creation of a rooftop kitchen garden, modifications to the building facades, public art installations and other works.

An application for the erection of a part ground and 26 storey, part ground and 13 storey building to form 300 no. residential apartments (Class C3) and ground floor retail/ leisure floorspace (Class E/ Sui Generis (drinking establishments), together with private amenity space

for residents (gym, cinema room and external terraces), new public realm to include riverside walkway and leisure/ food and beverage space (Class E/ Sui Generis (drinking establishments/ drinking establishments with food provision/ hot food takeaways), new landscaping, parking (36 spaces level -1), 300 cycle parking spaces, servicing, supporting infrastructure and associated works (application ref no 132088/FO/2021) has been approved subject to the signing of a S106 agreement in relation to affordable housing contributions.

The wider holistic masterplan for the site aims to transform and regenerate the final piece of the City Council's City Centre Masterplan in a deliverable manner following several previous failed attempts. Most recently, this was in the form of a mixed use scheme in 2008, comprising 4 new buildings, the tallest at 35 storeys and a 2018 Strategic Regeneration Framework by MCC and Urban & Civic. Despite the efforts of well established and experienced and MCC officers the lack of activity over the last 20 years serves to illustrates the complexities associated with bringing forward the meaningful regeneration of the site and all previous proposals for wholesale demolition and redevelopment have been considered to ultimately be undeliverable.

Description of area

The building lies within an area of the City Centre that contains a variety of uses including bars, restaurants, commercial and residential uses including apartments at no.1 Deansgate opposite the site.

Description of development

The 4 no approved retail units would be developed as a shell and core build for future fit out by the retail tenants accordingly. Allowance has been made for these units to be classed as A3 Restaurants and cafés, for the sale of food and drink for consumption on the premises – restaurants, snack bars and cafés. Provision has been made for future connections in respect of mechanical ventilation plant for dedicated kitchen extract ventilation, along with background ventilation and make-up air to the main floor space. In addition, provision for future connection for toilet extract systems would be made.

Due to the units only being fitted out as shells at this stage and as the future operation of these units is not known the details of the acoustic insulation measures that would be necessary for each user of the unit as required by the current wording of condition 22 are not known. Given this the applicants want to amend that current wording such that this detail would be provided pre-occupation.

Consultations & Notification Responses

None

Issues

Condition wording

Existing C22

Before the development commences a scheme for acoustically insulating:

(a)the office accommodation; and
(b) each ground floor unit

against (a)any noise transfer from the ground floor units to the offices above (b)or noise break out from the ground floor units shall be submitted to and approved in writing by the City Council as local planning authority.

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.

The approved noise insulation scheme shall be completed before each of the approved uses commence and shall remain in situ for as long as the unit is in use (and any subsequent permitted changes of use under Class E).

Prior to occupation of (a) and any unit (b), post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future office occupiers and adjacent residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

Proposed C22

Prior to the first use of each commercial units, as indicated on drawing 150 B1 02 2200 A BLOCK 1-GF GA PLAN commences details of each commercial space will be acoustically insulated and treated to limit the break out of noise to the offices above and external noise receptors shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include a noise study of the premises and a scheme of acoustic treatment.

The applicant will ensure that a tenants pack will set out the list of conditions inclusive of this condition that each individual tenant needs to discharge.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of each of the commercial space, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

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 on the occupants of the development 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.

As a result of this amendment to condition 22 a new condition 37 will be attached to cover noise ingress into the offices from existing noise sources:

Condition 37

Before the development commences a scheme for acoustically insulating the office accommodation against (a) any commercial premises in the vicinity of the development; and (b) the local traffic network;

shall be submitted to and approved in writing by the City Council as local planning authority.

The approved noise insulation scheme shall be completed before each of the approved uses commence and shall remain in situ for as long as the unit is in use (and any subsequent permitted changes of use under Class E).

Prior to occupation of the offices a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future office occupiers and adjacent residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

The re-wording of condition 22 is required to amend the triggers for submission of details of the acoustic insulation of the commercial units once the individual tenants and their specific requirements are known. The applicant will ensure that a tenants pack will set out the list of conditions inclusive of this condition that each individual tenant needs to discharge.

The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development. The proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority

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 polices 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:

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) Reason 2: The re-wording of condition 22 is required to amend the triggers for submission of details of the acoustic insulation of the commercial units once the individual tenants and their specific requirements are known. The applicant will ensure that a tenants pack will set out the list of conditions inclusive of this condition that each individual tenant needs to discharge.

22) Prior to the first use of each commercial units, as indicated on drawing 150 B1 02 2200 A BLOCK 1-GF GA PLAN commences details of each commercial space will be acoustically insulated and treated to limit the break out of noise to the offices above and external noise receptors shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include a noise study of the premises and a scheme of acoustic treatment.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

(b) The approved scheme shall be implemented and prior to the first use of each of the commercial space, a verification report will be required to validate that the work undertaken

conforms to the recommendations and requirements approved as part of 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. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

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 on the occupants of the development 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 (1

Appendix 1 – List of consultees & neighbours notified

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
Area Team Boundary - Name: CENTRAL