

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135988/FO/2023

Date registered valid: 11 September 2023

Proposal: Refurbishment of existing office building to comprise elevational alterations, a single storey rooftop extension with external roof terrace (Use Class E), installation of photovoltaic panels and works to extend the pavement of Booth Street and install street furniture.

Address: 58 Mosley Street, Manchester, M2 3HZ

Ward(s): Deansgate Ward

Applicant: M & G

Agent (if any): Miss Rachel White NJL Consulting

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 November 2023

Application details

Type of application: Full Application Consent

Development type: Minor Office

Date of site visit: 16 March 2023

Standard consultations:

Printed: 13 September 2023 Expired: 4 October 2023

Neighbour notifications

Printed: 13 September 2023 Expired: 4 October 2023

Site notice

No site notice has been produced Posted: 16 March 2023 Expired: 6 April 2023

Press advert

Published: 19 September 2023 Expired: 3 October 2023
Published: 7 March 2023
Expired: 28 March 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

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

Tree Preservation Order: Not applicable

Description of area

This application relates to a building at 58 Mosley Street which is a 7 storey building that is currently in use as offices (Use Class E). The building is bounded by Mosley Street, Booth Street, West Mosley Street and Spring Gardens. It is a modern building constructed following the demolition of Eagle Star House in 2005. The building is constructed of stone with large areas of glazing and black Brise Soleil fins and frames. The upper floors overhang the pavement.

The building is not listed, but is situated in the Upper King Street Conservation Area and there are Grade I, II* and Grade II listed buildings surrounding it including the Grade I Listed Manchester Art Gallery and the Grade II* 38 Mosley Street. There are also modern buildings within the setting.

Surrounding uses include offices, banks, shops, restaurants, cafes, hotels, the Town Hall Complex, an art gallery and a bus station.

Description of development

Planning permission is currently sought for the following:

- Alterations to the pavement to include landscaping works to create level access to the building;

- The relocation of the existing entrance from Mosley Street (existing revolving door) and the creation of a new, accessible entrance way on Booth Street;
- Erection of a light weight, substantially glazed roof extension at the eighth level; and
- Installation of photovoltaic panel(s)

Consultations & Notification Responses

Publicity - The application was advertised in the local press as affecting a conservation area and affecting a listed building, a site notice was displayed on site and letters were sent to surrounding occupiers. No replies have been received.

City Centre Regeneration - No comments received.

Environmental Health - Commented as follows:

NSE 1 - The assessment has assumed a roof top bar which is enclosed by standard double glazing and included maximum internal entertainment limits in the bar. There doesn't look to be reference to a bar forming part of the proposals for the roof top amenity space so this will need confirming. If there is to be a bar then we will need comment to confirm how noise levels are controlled when any door is opened for access / egress from the enclosed bar area to the external terrace? Will there be a lobbied door system? If a lobbied door not proposed then reduced noise levels may need to be recommended to account for doors open for access and egress. There hasn't been assessment of noise breakout from the proposed gym in the basement space so comment and assessment will be required to address this and with the surrounding commercial premises being included as the noise sensitive receptors.

Regarding the external area, the suggested hours and condition wording is acceptable.

Highway Services - Oliver West (Sustainable Travel) - Advised that there is no travel plan submitted. However, they are increasing cycle storage which is a good thing.

This is an excellent location in transport planning terms and the improvements should further increase its attraction within the market, which is a good thing compared to other less sustainable sites elsewhere.

Greater Manchester Police - No comments received.

Helipad Manager - No comments received.

Historic England (Northwest) - Confirmed that they do not wish to offer any comments and suggest that we seek the views of our specialist conservation and archaeological advisers, as relevant.

Manchester Airport Safeguarding Officer - Commented as follows: The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. We have no objections to this development. Informative: -The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Cranenotification>

Transport For Greater Manchester - Requested a Construction Management Plan condition.

Issues

The following Policies are considered relevant to the proposals:

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials.

Policy T1 (Sustainable Transport) advises that the Council supports proposals that assist in delivering a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport including by the improvement of pedestrian routes and the pedestrian environment and/or incorporate EV charging points.

CC10 (A Place for Everyone) states that development that promotes high standards of accessibility to buildings and across spaces in the City Centre.

The Unitary Development Plan for the City of Manchester

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.
- not permit alterations to a listed building that would prevent the future use of any part of the building.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, which provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion

of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Policy JP-P 1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-S 1 (Sustainable Development) aims to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. Preference will be given to using previously developed (brownfield) land and vacant buildings to meet development needs. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.

Policy JP-S 2 (Carbon and Energy) states that the aim of delivering a carbon neutral Greater Manchester no later than 2038, with a dramatic reduction in greenhouse gas emissions, will be supported through a range of measures including:

- Promoting the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling.

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development" (NPPF Paragraph 7). 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.

Paragraph 192 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 189 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 194 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the acceptability of the proposals has been considered.

Contribution to Regeneration

Regeneration is an important planning consideration and there is a need to continue to build on the regeneration that has already taken place within the Civic Quarter and the continuing investment in the area.

The proposed extension and landscaping of the pavement would make a contribution to the regeneration of the City Centre and the Civic Quarter by improving the local environment and the use of the street by pedestrians. Including because high-quality materials would be used.

The improvements to the office space should also attract more tenants increasing occupation rates.

On this basis and on balance, it is believed that this proposal would have a positive impact in regeneration terms.

In view of the above it is considered that the proposal has the potential to add to the area's vibrancy and contribute to the character of the Northern Quarter. The proposals are therefore considered to be in accordance with Sections 1 and 2 of the National Planning Policy Framework, policies DM1 and SP1 of the Core Strategy and Policy JP-P 1 of the Places For Everyone Plan.

Visual Amenity -

All works are deemed to be acceptable and the amendments to the location of the main entrance and the provision of a canopy is considered to be acceptable given the improvements to the adjacent pavement of Booth Street, the provision of Grade A office accommodation including a yoga studio and gym better meeting health and well-being needs, the retention and refurbishment saving embodied carbon, the achievement of net zero carbon by targeting a NABERS 5 star rating and the provision of PV panels.

The canopy has been slimmed down to more closely reflect the Brise Soleil and has been reduced in width and would not extend any further than the existing cantilever.

The extended pavement would incorporate York Stone paving, planters and wooden benches improving the entrance to the building and the use of the street by pedestrians and giving people places to rest.

A condition would be applied to the application to require the approval of materials.

It is considered that the benefits of the proposal would outweigh the less than substantial harm caused to the affected heritage asset and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement due to the public benefit of the restoration and reuse of this Grade II* Listed building and the use of the building as an office.

Residential Amenity -

The nearest residential accommodation is within China Town and the nearest hotel accommodation is on Oxford Street and at Piccadilly Gardens. There is also a library and many office buildings surrounding the building and the impact on these uses also needs to be considered.

The conditions recommended by our Environmental Health Service in relation to noise generated by the use and the hours of operation of the external areas will be applied to this application. The condition relating to externally mounted equipment will not be applied to the application as this is not part of the proposals.

Given the above the proposals are considered to be in accordance with Policies SP1, CC4, CC7, EN19 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC10.1-10.4 and DC26 of the Unitary Development Plan for the City of Manchester and Policy JP-P 1 of the Places For Everyone Plan in relation to the impact on residential amenity.

Highway Impacts -

The site is located within a prominent City Centre location and benefits from excellent connectivity to regular Metrolink, rail and bus connections. Metrolink services pass the front of the building and the building is within a 5-minute walk of the St Peter's Square and Piccadilly Metrolink stations. It is likely, given the travel opportunities available, that many occupiers and visitors will travel to and from the site via sustainable modes.

The proposed cycle parking is considered to be acceptable, but may need to be increased in the future due to the provision of a travel plan and the requirements of tenants. A condition will be applied to allow this.

A condition will require a construction management plan given the comments made by Highway Services and TFGM.

An additional condition will be required to agree the proposed Section 278 works which are as follows:

- a) The widening of the Booth Street footway.
- b) The planters.
- c) Footway surfacing and resurfacing.
- d) The Traffic Regulation Order amendments.
- e) The relocation of Pay and Display car parking bays.

The extended pavement would incorporate York Stone paving, planters and wooden benches improving the entrance to the building and the use of the street by pedestrians.

Given the above the proposals are considered to be in accordance with Section 9 of the National Planning Policy Framework and Policies SP1, CC4, CC5, CC10, T1, T2 and DM1 of the Core Strategy for the City of Manchester in relation to highway safety and impacts.

Sustainability and Biodiversity -

Conditions would require the achievement of the sustainability credentials proposed and the provisions of biodiversity features relevant to this location.

Given the above the proposals are considered to be in accordance with Section 9 of the National Planning Policy Framework and Policies SP1, CC5, CC10, T1 and DM1 of the Core Strategy for the City of Manchester and Policies JP-S 2J, P-P 1 and JP-S 1 of the Places For Everyone Plan.

Crime and Disorder –

The new glazing will be required to meet recommended specifications by condition.

Given the above the proposals are considered to be in accordance with Section 9 of the National Planning Policy Framework and Policies SP1, CC10, and DM1 of the Core Strategy for the City of Manchester and Policies JP-S 2J, P-P 1 and JP-S 1 of the Places For Everyone Plan.

Disabled access -

The proposed widening of the pavement and the new accessible and level entrance without a revolving door would improve conditions for all pedestrians. Age friendly features such as benches would also be provided. Lift access would provide access to the roof extension.

Given the above the proposals are considered to be in accordance with Policies SP1, CC10, T1 and DM1 of the Core Strategy for the City of Manchester and Policy JP-P 1 of the Places For Everyone Plan.

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

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 have resolved the issues and allowed the approval of the application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

The location plan referenced 7002-JMA-ZZ-ZZ-DR-A-900002 S4 Rev P04 received by the City Council as local planning authority on _ 2023

The drawings referenced:

7002-JMA-ZZ-00-DR-A-00-0002-S4 Rev P05
7002-JMA-ZZ-01-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-02-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-03-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-04-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-05-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-06-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-07-DR-A-00-0002-S4 Rev P03

7002-JMA-ZZ-08-DR-A-00-0002-S4 Rev P08
7002-JMA-ZZ-09-DR-A-00-0002-S4 Rev P03
7002-JMA-ZZ-ZZ-DR-A-00-2003-S4 Rev P06
7002-JMA-ZZ-ZZ-DR-A-00-2004-S4 Rev P06

all received by the City Council as local planning authority on 26 September 2023

7002-JMA-ZZ-09-DR-A-27-1002-S4 Rev P04_PV
7002-JMA-ZZ-ZZ-DR-A-90-0002-S4 Rev P04
7002-JMA-ZZ-08-DR-A-00-1002-S4 Rev P04
7002-JMA-ZZ-08-DR-A-00-1004-S4 Rev P03

all received by the City Council as local planning authority on 11 September 2023

7002-JMA-ZZ-00-DR-A-90-0007-S4 Rev P01

received by the City Council as local planning authority on 8 August 2023

7002-JMA-ZZ-00-DR-A-724007-S4 Rev P01_L00
7002-JMA-ZZ-00-DR-A-900004-S4 Rev P01
7002-JMA-ZZ-ZZ-DR-A-90-0001-S4 Rev P01

all received by the City Council as local planning authority on 19 May 2023

7002-JMA-ZZ-09-DR-A-27-1001-S2 Rev P03

received by the City Council as local planning authority on 14 March 2023

7002-JMA-ZZ-RF-DR-A-001002-SK Rev P01
7002-JMA-ZZ-B1-DR-A-000002-S2 Rev P01

received by the City Council as local planning authority on 20 December 2022

The Appendix to the Design and Access Statement in relation to the Canopy received by the City Council as local planning authority on 20 September 2023

The Appendix to the Design and Access Statement in relation to the terrace received by the City Council as local planning authority on 14 March 2023

The Design and Access Statement prepared by JMA Architects received by the City Council as local planning authority on 17 January 2023

The Planning Statement prepared by NJL Consulting

The email from NJL Consulting dated 04 05 23, 01 08 23 (3no. emails) and 20 09 23

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC1, CC4, EN1 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan and Sections 6, 7 and 12 of the National Planning Policy Framework.

3) No external works shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Manchester City Council

(approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone including a scheme for the protection of the Overhead Line Equipment Building Fixing and shall be adhered to throughout the construction period. The CMP shall provide for: -

- a) protection of Metrolink equipment generally and specifically the Overhead Line Equipment Building Fixing;
- b) 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 once operational.
- c) pedestrian management proposals to ensure that a suitable footway width is retained and that pedestrians are not forced into the tramway path;
- d) loading and unloading of plant and materials;
- e) construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- f) the design, erection, maintenance and dismantling of scaffolding, having due regard to climbing risk and also the provisions of BS EN 50122-1; please note the installation and dismantling is likely to require an electrical isolation of the Metrolink overhead wires;
- g) the design, erection, maintenance and removal of security hoarding, if used. This should be at a minimum distance of 1.5m from the kerb which demarcates the tramway path, unless otherwise agreed with Transport for Greater Manchester, please note that any hoarding along the footway would be within the Metrolink drop zone for the overhead wires and will therefore need to be made of nonconductive material or earthed, bonded or designed such that they do not become live should a failure of the overhead lines occur; and
- g) measures to control the emission of dust and dirt during construction.
- h) the phasing and quantification/classification of vehicular activity associated with planned construction with commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routing both within the site and on the adjacent highway and associated traffic management measures.
- i) appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway
- j) contractor parking provision.
- k) measures to deal with mud and dust on the highway.
- l) consideration of ongoing construction works and contractor parking in the locality.
- m) details of an emergency telephone contact number for a person responsible for the site; to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.
- n) compound locations where relevant.
- o) location, removal and recycling of construction waste.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN14, EN15, EN17, EN19 and DM1 of the Manchester Core Strategy.

'No external works development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Manchester City Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone including a scheme for the protection of the Overhead Line Equipment Building Fixing and shall be adhered to throughout the construction period. The CMP shall provide for: -

3) Before any above ground works hereby approved commence, an Environmental Standards Statement confirming that the development will achieve NABERS UK 5* and/or BREEAM 'Very Good' and how this will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. This approved Environmental Standards Statement shall be complied with for the duration of the use of the building hereby approved. Post construction review certificate(s) shall be submitted to and approved in writing by the City Council as local planning authority, before the development hereby approved is first occupied.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policy DP3 of Regional Spatial Strategy for the Northwest (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

5) 3) Notwithstanding the details submitted with the application, prior to the commencement of any external works the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of all material to be used on all external elevations and rooves of the development including the alterations to the heritage asset, drawings to illustrate details of the sample panels and mock-ups that will be produced (The panel to be produced shall include jointing and fixing details between all component materials and any component panels), details of external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames, details of the junction of the new build elements to the existing building, a programme for the production of the sample panels and a strategy for quality control management.

(b) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

(c) The sample panels and quality control management strategy shall then be submitted to and approved in writing by the City Council as local planning authority.

The approved materials shall be used in the construction of the development.

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 CC9, EN3, SP1 and DM1 of the Core Strategy.

6) Before any works to the building elevations hereby approved commence amended versions of your drawings referenced 7002-JMA-ZZ-ZZ-DR-A-00-2003-S4 Rev P06 and 7002-JMA-ZZ-ZZ-DR-A-00-2004-S4 Rev P06 and additional larger scale drawings showing the canopy in context with the building elevations shall be submitted to and approved in writing by the City Council as local planning authority. These drawings shall show the changes to the canopy described within the email from NJL Consulting dated 20 09 23 and within the Design and Access Statement Canopy Appendix referenced 7002 -JMA-XX-XX-RP-0006-P03-58 Mosley Street.

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 EN3, CC9, SP1 and DM1 of the Core Strategy.

6) No part of the extension hereby approved shall be occupied unless and until one car parking space has been equipped with an EV charging point that is rated at 7-22kW along with a load management system. Full details of the location and features of this shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the extension hereby approved. This charging point and the load management system shall be retained for the duration of the use of the building.

Reason - To ensure that adequate provision is made for parking for sustainable travel, pursuant to policies CC10 and DM1 of the City of Manchester Core Strategy.

7) Prior to the use of the development and notwithstanding the information hereby approved, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- a) The widening of the Booth Street footway.
- b) The planters.
- c) Footway surfacing and resurfacing - final details including samples and specifications of the materials, including natural stone or other high-quality materials to be used in the repair or improvement of the affected footpaths and for the areas between the pavement and the line of the proposed building on all site boundaries. The details shall also include jointing and fixing details, details of planting species and soft landscaping design, details of the inclusion of age friendly measures, submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in the landscaping and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle and strategy for quality control management and maintenance.
- d) The Traffic Regulation Order amendments.
- e) The relocation, replacement or settlement of the 3no. Pay and Display car parking bays to be removed.

The approved scheme shall be implemented and be in place prior to the first occupation of the development hereby approved and thereafter retained and maintained in situ.

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted, or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason -To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012)

8) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. 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 working at the development.
- ii. a commitment to surveying the travel patterns of 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 building, a Travel Plan 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 occupants, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

9) (a) Prior to the first use of the development hereby approved, the 52 cycle spaces, as indicated on drawing referenced 7002-JMA-ZZ-B1-DR-A-000002 Rev P01 and described within the email from NJL Consulting dated 4 May 2023 shall be implemented and retained and maintained in situ for as long as the development remains in use.

(b) Within six months of the first use of the extended building subject of this application, the number of cycle spaces shall be reviewed as part of the travel plan requirements of Condition 7. Prior to occupation each new tenant shall agree to the travel plan and review and agree the number of cycle spaces to be provided. The survey shall be completed within 7 days of each review date and the results of the survey shall be submitted to and approved in writing by the City Council within 2 months thereafter. If a tenant occupies any part of the building within 9 months of a previous tenant, there is no requirement to resurvey the cycle spaces. Any additional cycle spaces identified as part of each review process shall be implemented within two months of the approval of the survey results by the City Council as local planning authority.

Reason - To ensure there is sufficient cycles stand provision at the development in order to support modal shift measures and air quality pursuant to policies SP1, T1, T2, EN14 and DM1 of the Manchester Core Strategy (2012).

10) 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.

11) Prior to the commencement of any works to the existing roof, a programme detailing final details of the measures to create potential opportunities to enhance and create new biodiversity within the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The measures to be assessed within the programme shall include:

- a) bat boxes and bricks and bird boxes,
- b) appropriate planting and rainwater harvesting.

All above measures (a) & b) shall be incorporated unless there are justified reasons not to include them. The programme shall include full details of the measures to be provided, a full justification for those that won't be provided and an implementation timeframe. The approved

scheme shall be implemented not later than 12 months from the date the proposed building is first occupied.

Reason - To ensure that a satisfactory measures to enhance biodiversity are incorporated within the development in accordance with policies R1.1, I3.1, T3.1, S1.1, E2.5, E3.7 and RC4 of the Unitary Development Plan for the City of Manchester and policies SP1, DM1, EN1, EN9 EN14 and EN15 of the Core Strategy.

12) a) Prior to the commencement of the construction of the rooftop extension hereby approved, a scheme shall be submitted to limit the breakout of noise from the use hereby approved in accordance a noise study of the premises and a scheme of acoustic treatment, including measurements that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall then be implemented in full before the use hereby approved commences.

b) Upon completion of the development and before the use hereby approved becomes operational, a verification report shall be undertaken 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 above criteria is 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 noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority before the use becomes operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To ensure an acceptable development in the interests of the amenity of surrounding occupiers, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

13) Building lighting proposals shall be submitted prior to any external lighting being installed on site. All building lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties. Full details of this external lighting, including the following shall be submitted to and agreed in writing before any external lighting has been installed on site:

- a) Details of where external lighting would be installed;
- b) Details of the frequency and duration of use.
- c) Details of the design and appearance of lighting units and the treatment of associated cabling and equipment,
- d) Confirmation of the luminance levels of the lighting and details regarding glare and light spill.
- e) Demonstration of how the lighting has been designed and installed so as to control glare and overspill onto nearby residential properties and confirmation of the luminance levels.

All building lighting shall be installed and maintained in accordance with agreed specifications and locations set out in the above information.

Prior to the first occupation of the development a verification report for any external lighting will 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 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 criteria and a timescale for the correction of any instances of non-compliance.

Reason - In the interests of visual and residential amenity pursuant to Core Strategy policies SP1, CC9, EN3 and DM1 of the Core Strategy.

14) The development hereby approved shall include for full disabled access to be provided for the occupiers of the building to all areas of the development via all building entrances and to the floors.

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

15) a) The external roof terrace shall not be used outside of the following hours:

Monday to Friday - 08:00 to 23:00

b) Amplified sound and/or speech or any music shall not be played on the roof at any time.

Reason - To ensure an acceptable development in the interests of the amenity of surrounding occupiers, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

16) The windows at ground level, fronting onto Mosley Street, Booth Street, Spring Gardens and West Mosley Street shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

17) No externally mounted telecommunications equipment shall be mounted on any part of the building hereby approved, including the rooves other than with express written consent of the Local Planning Authority.

Reason - In the interest of visual amenity pursuant to Core Strategy Policies DM1 and SP1

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building hereby approved shall only be used for offices (Use Class Egi).

Reason - In the interest of retaining the provision of office space within the development pursuant to policies EC1, EC4 of the Manchester Core Strategy (2012)

19) Prior to the first use of the completed development, details of any roller shutters to the ground floor elevations of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall only be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the completed development and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) -The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification>

2) The permission hereby granted does not grant or imply grant of permission for externally mounted equipment that is not shown on the drawings hereby approved.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Highway Services
Environmental Health
Oliver West (Sustainable Travel)
City Centre Renegeration
Historic England (North West)
Greater Manchester Police
Transport For Greater Manchester
Manchester Airport Safeguarding Officer
Helipad Manager
City Centre Renegeration
Environmental Health
Highway Services
Oliver West (Sustainable Travel)
Heritage & Urban Design
Greater Manchester Police
Helipad Manager
Historic England (North West)
Manchester Airport Safeguarding Officer
Transport For Greater Manchester

Manchester Art Gallery, Mosley Street, Manchester, M2 3JL
Second Floor, 64 - 72 Spring Gardens, Manchester, M2 2BG
63 - 65 Mosley Street, Manchester, M2 3HZ
64 - 72 Spring Gardens, Manchester, M2 2BQ
Third Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
Sixth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Ground Floor, Permanent House, 71 Mosley Street, Manchester, M2 3HR
3 Nicholas Street, Manchester, M1 4HL
1 Nicholas Street, Manchester, M1 4HL
Third Floor, 64 - 72 Spring Gardens, Manchester, M2 2BG
Ground Floor, 59 Mosley Street, Manchester, M2 3HZ
61 Mosley Street, Manchester, M2 3HZ
59 Mosley Street, Manchester, M2 3HZ
First Floor, 61 Mosley Street, Manchester, M2 3HZ
9A Cooper Street, Manchester, M2 2FW
37 Booth Street, Manchester, M2 4AA
GREGGS, Ground Floor Unit 7, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Basement Room A, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Fifth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
5 Cooper Street, Manchester, M2 2FW
Fifth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Seventh Floor, 75 Mosley Street, Manchester, M2 3HR
Fourth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Third Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Abbey House, Mosley Street, Manchester, M2 3LW
Third Floor Inscape, Abbey House, 74 Mosley Street, Manchester, M2 3LW
First Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Basement And Ground Floor, 67 - 69 Mosley Street, Manchester, M2 3JE
70 Spring Gardens, Manchester, M2 2BQ
Unit 3, Abbey House, Cooper Street, Manchester, M2 2FW
Salut Wines Limited, 11 Cooper Street, Manchester, M2 2FW

First Floor, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Brook House, 77 - 79 Fountain Street, Manchester, M2 2EE
65 Mosley Street, Manchester, M2 3JE
Ground Floor, 70 Spring Gardens, Manchester, M2 2BQ
Basement Room B, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Ground Floor Unit 5, Abbey House, 74 Mosley Street, Manchester, M2 3FX
First Floor, 81 Fountain Street, Manchester, M2 2EE
Fourth Floor, 81 Fountain Street, Manchester, M2 2EE
Third Floor, 81 Fountain Street, Manchester, M2 2EE
Fifth Floor Suite 5A, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Third Floor Suite 3C, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Fifth Floor Suite 5D, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Fifth Floor Suite 5C, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Fourth Floor, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Ground Floor, 64 - 72 Spring Gardens, Manchester, M2 2BQ
Permanent House, 71 Mosley Street, Manchester, M2 3JN
Second Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
71A Mosley Street, Manchester, M2 3JN
71 Mosley Street, Manchester, M2 3JN
Second Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
First And Second Floor, 58 Mosley Street, Manchester, M2 3HZ
Third To Seventh Floor, 58 Mosley Street, Manchester, M2 3HZ
Department For Work And Pensions, 58 Mosley Street, Manchester, M2 3HZ
Sainsbury's, 58 Mosley Street, Manchester, M2 3HZ
Fifth Floor, 61 Mosley Street, Manchester, M2 3HZ
Second Floor, 61 Mosley Street, Manchester, M2 3HZ
Sixth Floor, 61 Mosley Street, Manchester, M2 3HZ
Third Floor, 61 Mosley Street, Manchester, M2 3HZ
Fourth Floor, 61 Mosley Street, Manchester, M2 3HZ
Basement Room D, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Fifth Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
Fourth Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
First Floor Front, Permanent House, 71 Mosley Street, Manchester, M2 3JN
First Floor Rear, Permanent House, 71 Mosley Street, Manchester, M2 3JN
Second Floor, 70 Spring Gardens, Manchester, M2 2BQ
First Floor, 70 Spring Gardens, Manchester, M2 2BQ
Sixth Floor, 70 Spring Gardens, Manchester, M2 2BQ
Third Floor, 70 Spring Gardens, Manchester, M2 2BQ
Fifth Floor, 70 Spring Gardens, Manchester, M2 2BQ
Fourth Floor, 70 Spring Gardens, Manchester, M2 2BQ
Fifth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Basement Room B, Abbey House, 32 Booth Street, Manchester, M2 4AB
Fourth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Bellissimo, Unit 9, Abbey House, 32 Booth Street, Manchester, M2 4AB
Third Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Unit 5, Abbey House, 32 Booth Street, Manchester, M2 4AB
Porky Pigs, 7 Cooper Street, Manchester, M2 2FW
Unit 9, Abbey House, Mosley Street, Manchester, M2 3LW
Sixth Floor Suite 6B, Brook House, 77 - 79 Fountain Street, Manchester, M2 2EE
Ground Floor, 58 Mosley Street, Manchester, M2 3HZ
Second Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Mezzanine Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Basement And Ground Floor, 75 Mosley Street, Manchester, M2 3HR
81 Fountain Street, Manchester, M2 2EE

Basement Room C, Abbey House, 74 Mosley Street, Manchester, M2 3WL
First Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Fourth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Ground Floor Unit 6, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Sixth Floor Suite 6D, Brook House, 77 - 79 Fountain Street, Manchester, M2 2EE
Second Floor Suite 2D, Brook House, 77 - 79 Fountain Street, Manchester, M2 2EE
Seventh Floor And Eighth Floor, 81 Fountain Street, Manchester, M2 2EE
Second Floor Suite 2B, Brook House, 77 - 79 Fountain Street, Manchester, M2 2EE
Second Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Ground Floor, 81 Fountain Street, Manchester, M2 2EE
Sixth Floor Suite 5B, Brook House, 77 - 79 Fountain Street, Manchester, M2 2EE
First Floor, 58 Mosley Street, Manchester, M2 3HZ
Basement Room C, Abbey House, 32 Booth Street, Manchester, M2 4AB
Mezzanine Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Greggs, Unit 7, Abbey House, 32 Booth Street, Manchester, M2 4AB
Unit 6, Abbey House, 32 Booth Street, Manchester, M2 4AB
Third Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
First Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Unit 8, Abbey House, 32 Booth Street, Manchester, M2 4AB
Basement Room D, Abbey House, 32 Booth Street, Manchester, M2 4AB
Basement Room A, Abbey House, 32 Booth Street, Manchester, M2 4AB
67 - 69 Mosley Street, Manchester, M2 3JB
9 Cooper Street, Manchester, M2 2FW
Abbey House, Cooper Street, Manchester, M2 2FW

Appendix 2 – Planning constraints

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