

Planning

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Mr Cameron Radford
Deloitte LLP
The Hanover Building
Corporation Street
Manchester
M4 4AH

Date: 29 September 2022

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission

Application No: 134854/NMC/2022

Description: Non-material amendments to planning permission 125804/FO/2019 to make alterations to the apart-hotel accommodation including reconfiguration of ground and mezzanine layout to omit commercial unit 2 to create larger reception lobby and ancillary hotel amenity space, increasing the number of hotel rooms to 357 including creation of additional floor space at level 21 and associated elevational alterations ,

Location: 325 - 327 Deansgate, Manchester, M3 4LQ

I refer to your application for a non-material amendment to planning permission reference 125804/FO/2019.

The proposed seeks to make alterations to the apart-hotel accommodation including reconfiguration of ground and mezzanine layout to omit commercial unit 2 to create larger reception lobby and ancillary hotel amenity space, increasing the number of hotel rooms to 357 including creation of additional floor space at level 21 and associated elevational alterations

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 125804/FO/2019. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 125804/FO/2019 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

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

Drawings 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev 02, 10185-SHP-Z1-0M-PL-A-B5D8-G200-0001 Rev 02, 10185-SHP-Z1-01-PL-A-B5D8-G200-0001 Rev 01, 10185-SHP-Z1-02-PL-A-B5D8-G200-0001 Rev 01, 10185-SHP-Z1-03-PL-A-B5D8-G200-0001 Rev 01, 10185-SHP-Z1-TY-PL-A-B5D8-G200-0001 Rev 01, 10185-SHP-Z1-TY-PL-A-B5D8-G200-0002 Rev 02, 10185-SHP-Z1-TY-PL-A-B5D8-G200-0002 Rev 02, 10185-SHP-Z1-RF-PL-A-B5D8-G200-0001 Rev 01, 10185-SHP-Z1-EW-EL-A-B5D8-G200-0001 Rev 02, 10185-SHP-Z1-AA-SE-A-B5D8-G200-0001 Rev 02, 10185-SHP-Z1-BB-SE-A-B5D8-G200-0001 Rev 02, 10185-SHP-Z1-CC-SE-A-B5D8-G200-0001 Rev 02 and 10185-SHP-Z1-DD-SE-A-B5D8-G200-0001 Rev 02 received by the City Council, as Local Planning Authority, on the 2 September 2022

Covering Letter received by the received by the City Council, as Local Planning Authority, on the 6 September 2022.

Design and Access Statement Addendum prepared by SimpsonHaugh", Transport Statement Addendum prepared by Civic Engineers received by the City Council, as Local Planning Authority, on the 2 September 2022

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.

7) Notwithstanding the preliminary risk assessment prepared by Ground Tech stamped as received by the City Council, as Local Planning Authority, on the 8 January 2020, (a) before the development hereby approved commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of a site investigation and risk assessment report; and
- Submission of a remediation strategy.

Once approved, the development shall then be carried out in accordance with the approved details.

(b) When the phase of development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

18) Notwithstanding the noise and vibration section (including appendices) of the ES stamped as received by the City Council, as Local Planning Authority, on the 8 January 2020, prior to the first use of the commercial unit, as shown on drawings 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, prior to the first use of each commercial unit 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 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. 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 (1995).

19) Notwithstanding the noise and vibration section (including appendices) of the ES stamped as received by the City Council, as Local Planning Authority, on the 8 January 2020, (a) prior to the first use of the commercial units as indicated on drawings 10185-SHP-Z1-00-PL-A-B5D8-G200- 0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, a scheme of acoustic insulation of each commercial unit shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the L_{Aeq} (entertainment noise) shall be controlled to 10dB below the L_{A90} (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.

Where an A3 use is proposed, the scheme proposed shall normally include measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels.

(b) The approved scheme shall be implemented and prior to the first use of the hotel, 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. 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 - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

21) The waste management strategy for the aparthotel and the commercial unit shall be carried out in accordance with drawing 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022 and the waste management strategy outlined within the Design and Access statement stamped as received by the City Council, as Local Planning Authority, on the 8 January 2020. The approved scheme shall be implemented prior to the first use of the hotel and the commercial unit and thereafter be retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

22) Prior to the first use of the commercial unit, as indicated on drawing 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units within each phase and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the commercial unit pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

23) Prior to the first use of commercial unit, as indicated on drawing 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, details of any roller shutters to the ground floor 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 be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of each of the commercial units 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).

27) Prior to the first use of the commercial unit, as indicated on drawing 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, details of the opening hours shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved opening hours shall then become the operating hours for the unit (any subsequent permitted changes of use) and shall thereafter be retained and maintained.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

30) The commercial unit as shown on drawings 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 stamped as received by the City Council, as Local Planning Authority, on

the 2 September 2022, shall remain as one unit and shall not be sub divided or amalgamated without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial units pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

31) The commercial unit as shown on drawings 10185-SHP-Z1- 00-PL-A-B5D8-G200-0001 Rev P02 stamped as received by the City Council, as Local Planning Authority, on the 2 September 2022, can be occupied as A1 (with the exception of convenience retail), A2, A3, A4 and D2. The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 2015.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the development hereby approved (with the exception of the commercial unit) shall only be used for an aparthotel (Use Class C1) with ancillary gym and café / restaurant and for no other purpose.

Reason - In the interest of retaining the provision of hotel within the development pursuant to policies SP1 and CC4 of the Manchester Core Strategy (2012).

35) Prior to the first occupation of the aparthotel element, the provision of 32 cycle spaces (internal) and 10 external spaces, as indicated on drawing 10185-SHP-Z1-00-PL-AB5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, shall be implemented prior to the first use of the aparthotel element of the development hereby approved and retained and maintained in situ for as long as the development remains in use.

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

39) Prior to the first use of the commercial units, as indicated on drawing 10185-SHP-Z1-00-PL-A-B5D8-G200- 0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, a signage strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of each phase of the development.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

42) In the event that the commercial unit, as indicated on drawings 10185-SHP-Z1-00-PL-A-B5D8-G200-0001 Rev P02 received by the City Council, as Local Planning Authority, on the 2 September 2022, is occupied as an A3 use, prior to its first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. This shall include:
- Dispersal policy;
- Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

Should you wish to discuss the matter further, please contact Jennifer Atkinson using the details above.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', with a stylized flourish at the end.

Julie Roscoe
Director of Planning, Building Control & Licensing