

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134854/NMC/2022

Date registered valid: 2 September 2022

Proposal: 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

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

Ward(s): Deansgate Ward

Applicant: Jedi Deansgate Ltd C/o Agent

Agent (if any): Mr Cameron Radford Deloitte LLP The Hanover Building, Corporation Street, Manchester, M4 4AH

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 September 2022

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

This 0.25 hectares site is bounded by Trafford Street and the Deansgate public house, Century Street, Whitworth Street and Deansgate-Castlefield Metrolink stair and lift core and Deansgate. The Metrolink line runs along the Castlefield Viaduct.

The site is occupied by a commercial unit and servicing yard, two enclosed arches underneath the Grade II listed Castlefield Viaduct and an area of hard landscaping bordering Whitworth Street West.

Vehicular access is via Century Street and Trafford Street into a customer parking and service yard which provides space for parking and refuse storage. The site slopes towards the Castlefield Viaduct. The western arch forms part of the commercial unit.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The site is highly accessible with rail, tram and bus services nearby. It is close to entertainment and leisure facilities at Manchester Central, Bridgewater Hall, the Great Northern Complex and Deansgate Locks. Nearby residential accommodation includes the Haçienda, Beetham Tower and the Great Northern Tower.

The site is not within a conservation area but could impact upon the character and appearance of the St Peter's Square, Albert Square, Deansgate / Peter Street, St John Street and Castlefield

Conservation Areas. Much of the site is part of the Grade II Listed Castlefield Viaduct particularly the brick arches underneath the viaduct.

The Site is adjacent to the Grade II* Listed former Manchester Central Railway Station and the following listed buildings and structures are within a 250m radius: Grade II Castlefield Viaduct, Grade II Manchester South Junction and Altrincham Railway Viaduct, Grade II Rochdale Canal Lock Keepers Cottage At Lock Number 91, Grade II Rochdale Canal Lock Number 91 At East End of Gaythorn Tunnel, Grade II Deansgate Station, Grade II Artingstalls Auctioneers, Grade II Rochdale Canal Lock Number 90, Grade II K6 Telephone Kiosk Beside South West Corner Of Number 330 Deansgate, Grade II Castlefield Information Centre, Grade II Former Market Hall, Grade II 235-291, Deansgate, Grade II* Deansgate Goods Station (Great Northern), Grade II Former Entrance to Deansgate Goods Station Including Numbers 223 To 233, Grade II 6 Telephone Kiosk in Front Of St John Street Chambers, Grade II* Manchester Central (GMex), Grade II Rochdale Canal Lock Number 92 and Castle Street Bridge, Grade II Merchants Warehouse, Grade II Middle Warehouse and Scheduled Ancient Monument Remains of eastern wall of the Roman fort

Description of development

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

Consultations & Notification Responses

N/A

Issues

Planning and listed building consent was granted in 2020 for the Demolition of existing buildings and structures on-site and erection of 22-storey building comprising apart-hotel (Use Class C1) with flexible commercial uses at ground floor and within existing viaduct arches (Use Class A1, A2, A3, A4, D2), access, landscaping and other associated works and Listed Building Consent for internal and external works to the Grade II listed Castlefield Viaduct in relation to proposed redevelopment of land at 325-327 Deansgate and the adjacent railway arches for an aparthotel and flexible commercial uses (125804/FO/2019 & 125805/LO/2019).

Amendments are now sought to this planning permission as follows:

The proposed amendments seek to make alterations to the hotel accommodation by reducing the overall number of larger rooms and replacing these units with 'boutique' hotel rooms suitable for short-term stays. This will help to widen the offer at the hotel by providing guests with the opportunity for both short term and longer term stays.

The proposal would also increase the level of amenities available. A revised ground floor / mezzanine layout would remove the commercial units and provide a food and beverage unit and high quality yoga studios.

A detailed consideration of the changes is below:

Ground Floor / Mezzanine

The ground floor / mezzanine layout is being reconfigured in order to create a more functional and engaging arrival experience for the hotel guests. The approved layout comprises a reception and coffee shop facing Deansgate situated beside a commercial unit (Commercial Unit 2) which contains a small mezzanine that sits under the railway arches. Another commercial unit (Commercial Unit 1) is situated underneath the railway arches that opens up to both Century Street and Whitworth Street West on the eastern and southern elevations.

The proposed amendments will see Commercial Unit 2 merge into the existing reception / coffee shop to create a much larger entrance to the hotel. Commercial Unit 1, however, will remain unaffected by the proposed amendments. The larger, more consolidated hotel lobby will allow for a more flexible layout helping to create an opportunity to deliver a greater area of amenity for the hotel guests. In place of the coffee shop, a new restaurant / bar space is being proposed which will be led and operated by the applicant. The existing mezzanine space will be converted into yoga studios (moved from Level 2) for the benefit of the hotel guests.

As part of the changes, the back of house spaces will also be reconfigured which has enabled for the addition of an extra lift and the proposed changes to level 21.

Hotel Room Layout

The existing layout comprises of 310 hotel rooms split into 246 studios and 64 1-bed hotel rooms. As a result of the reconfiguration of the layout, the total number of hotel rooms has increased to 357. This will be achieved by a reduction in the size of a number the approved larger hotel rooms. The split of the hotel rooms will now comprise 153 short-term stay and 204 long-term stay apart-hotel rooms. A total of six hotel rooms will be provided as accessible units.

Upper Levels

The level 21 guest room floor has been extended across the entire level 21 floorplate into a space occupied by a plant well in the approved design. The existing plant will be relocated within newly created space within the revised ground floor layout.

Elevational Changes

A number of minor changes have been made to the ground floor / mezzanine layout. This has largely comprised of a reconfiguration to the front of house. As a result of this it has resulted in some minor changes to the Deansgate elevation including omission of the door to the approved Commercial Unit 2, relocation of the main entrance door and addition of a fire escape door.

The existing elevation is comprised of glazing and will not be affected visually as the proposed doors will also be glazed to maintain the appearance of this face of the building.

The above changes are noted and would help delivered an appropriate development at the site. The changes are considered to be non material in nature and are acceptable.

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

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

1) 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

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.

2) 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.

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.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL