

Application Number/s: 133409/FO/2022

Applicant: Bruntwood Estates Limited

Agent: Paul Butler Associates

Location: 40 King St. W., Manchester, M3 2WY

Proposal: Various external works associated with renovation of building

Ward: Deansgate

Description of Site and Surrounding Area

The application relates to 40 King Street West, a building in Deansgate Ward within the core city centre of Manchester.

Building

The building is known as 'Kings House' and is a five-storey building that is currently primarily in office use. However, there are restaurants occupying ground floor and lower ground floor units within the building. These restaurant units are outside the scope of this planning application. The building is considered one planning unit but is formed by two separate buildings. One of the buildings was constructed in 1874 to house a department store, with the later addition at 1879 constructed as a purpose-built hotel. The building is considered a non-designated heritage asset by virtue of its age and preservation.

Surrounding Area (including Conservation Area)

The application building is located within the Parsonage Gardens Conservation Area and is proximate to listed buildings, including 31-33 King Street West (including 3 Smithy Lane) and 98-116 Deansgate, both of which are Grade II Listed.

The application building 'Kings House' is located on an island site and occupies a street block, bound by King Street West to the north, Southgate to the east, Back Bridge Street to the south and Butter Lane to the west. Buildings to the east, south and west are primarily low rise/midrise Victorian era buildings. To the north is a 1960s concrete multistorey car park associated with the House of Fraser department store. An active (but not yet started) application to demolish the multistorey car park and replace with a new-build 14-storey office building.

Description of Proposal

The application seeks permission for external alterations, associated with internal alterations/renovations of the building. The proposed external alterations include:

- Upgrading/renovation of windows to double glazing, to include like for like timber window frames to include thermal performance
- Introduction of window vents to lightwell elevations to accommodate mechanical ventilation improvements

- Introduction of a dry riser inlet to King Street West elevation to improve fire strategy
- Introduction of lighting units to external elevations
- Introduction of rooftop plant enclosure and access to accommodate mechanical and electrical upgrades
- Introduction of 6no. Conservation-style roof lights to west roof elevation
- Removal of later addition roof extension to west roof elevation and reinstating roof's original pitch
- Removal of existing security wire mesh and replacement with internal retractable grills

The Planning Submission

The application is supported by the following information:

- Application Form
- Location Plan
- Existing and Proposed Plans
- Design & Access Statement
- Heritage Statement
- Planning Statement
- Noise Impact Assessment
- Structural Survey
- External Lighting Statement
- Bat Survey
- Energy Statement
- Ventilation Statement

Publicity LBC

Site Notice/s Posted and Dates: Posted 22/04/22, Expired 13/05/22

Press Adverts Published and Dates: Published 26/04/22, Expired 17/05/22

Neighbour Notification: Notified 10/05/22

Representations Received: None

Consultations

Highway Services (HS)

- Requested an informative requesting that the applicant ensures that refuse does not remain on the highway for any undue length of time, given the obstruction posed to pedestrians.
- Requested an informative that all external entrance doors (apart from fire doors) should be inwardly opening to prevent obstruction to the adjacent footway.
- Requested an informative relating to licencing requirements.

Greater Manchester Police (GMP)

- No objection to proposal subject to recommendations that external fittings are certified to Secure by Design standards and new glazing in external doors to ground floor/easily accessible windows includes at least one pane of laminated glass.

Greater Manchester Ecology Unit (GMEU)

- Requested condition relating to bats/bat survey to ensure the recommendations within the report submitted are implemented.
- Requested informative relating to nesting birds

Environmental Health (EH)

- Requested the addition of a Construction Management Plan condition
- Requested that demolition/construction hours are added as an informative.
- Requested amendment to external lighting scheme impact report to cd/m2 and confirmation of the hours the lighting will be in use.
- Requested amendments to the submitted external plant/equipment/servicing noise assessment report.

Policy

The Development Plan

The Development Plan consists of: The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan for the City of Manchester (1995). The Core Strategy is the key document and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved. Planning applications in Manchester must be decided in accordance with the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The policies or parts of policies relevant to this particular scheme within the Core Strategy and Unitary Development Plan are as follows:

Manchester Core Strategy Development Plan Document (July 2012)

Policy SP1 'Spatial Principles' – The regional centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high-quality city living.

The city is covered by regeneration area including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the relevant Strategic Regeneration Framework (SRF).

Development in all parts of the city will be consistent with the core development principles and aim to make a positive contribution to neighbourhoods of choice, including:

- Creating well-designed places that enhance or create character
- Make a positive contribution to the health, safety and wellbeing of residents
- Consider the needs of all members of the community
- Protect and enhance the built and natural environment
- Minimise emissions and ensure efficient use of natural resources
- Use previously developed land wherever possible
- Improve access to jobs, services, education, open space
- Be located so as to reduce the need to travel/accessible to public transport

Policy EC2 ‘Existing Employment Space’ – The LPA will seek to retain and enhance existing employment space and sites.

Policy CC1 ‘Primary Economic Development Focus: City Centre and Fringe’ – Developments which lead to the more intensive use of employment land (in terms of floorspace provided) will be supported.

Policy CC9 ‘Design and Heritage’ – Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Policy EN1 ‘Design Principles and Strategic Character Areas’ – All development in Manchester will be expected to follow the seven principles of urban design:

- Character
- Continuity and enclosure
- Quality of the public realm
- Ease of movement
- Legibility
- Adaptability
- Diversity

The City Centre contains a rich legacy which reflects its urban evolution to the current day and includes listed buildings, conservation areas, archaeological remains and a historic street pattern. Its core area presents a particularly dense environment that accommodates a wide and closely integrated range of uses including commercial, civic and residential activities. Developers are expected to consider the city’s heritage and continue the rich pattern of activity in the core area.

Policy EN3 ‘Heritage’ – Throughout the city, the LPA will encourage development that complements and take advantage of the distinct historic and heritage features of its districts and neighbourhoods including those of the city centre. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy EN4 ‘Reducing CO2 Emissions by Enabling Low and Zero Carbon Development’ – The LPA will seek to reduce fuel poverty and decouple growth in the

economy, growth in CO2 emissions and rising fuel prices. This can be achieved or contributed to by

- Reducing the need for energy through design features that provide passive heating, natural lighting and cooling
- Reduce the need for energy through energy efficient features such as improved insulation and glazing
- Meeting residual energy requirements through the use of low or zero carbon energy generating technologies
- Wherever possible, retrofit projects (including energy generation plant) being located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.
- Wherever possible, retrofit projects being used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings
- The use of building materials with low embodied carbon in refurbishment schemes

Policy DM1 'Development Management' - All development should have regard to a variety of specific issues, which include:

- Design (Siting, layout, scale, form, massing, materials and detail)
- Impact on surrounding impact in terms of design/appearance and character
- Effects on amenity (Privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety, traffic generation)
- Accessibility (disabled access, public transportation)
- Community safety and crime prevention
- Design for health
- Adequacy of internal accommodation and external amenity space
- Refuse storage and collection
- Vehicular access and parking
- Biodiversity, landscaping, archaeological and built heritage
- Green infrastructure, including open space (public and private)
- Flood risk and drainage
- Existing and proposed hazardous installations
- Sustainable construction techniques (BREEAM)

Saved Policy 18 'Conservation Areas' – The LPA shall give particularly careful consideration to development proposals within Conservation Areas. The LPA shall seek to preserve and enhance the character of its designated conservation areas by carefully considering issues surrounding:

- The relationship of new structures to neighbouring buildings and places
- The effect of major changes to the appearance of existing buildings
- The desirability of retaining architectural features (including trees)
- The effect of signs and advertisements

The LPA will not normally grant outline consent within conservation areas. Consent to demolish a building in a conservation area will only be granted where it is wholly

beyond repair, incapable of reasonable beneficial use or where removal or replacement would benefit the appearance or character of the conservation area.

Where demolition is to be followed by redevelopment, demolition will only be permitted where there are approved detailed plans for redevelopment.

Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the conservation area. This will include protection of views into and out of Conservation Areas.

Saved Policy 26 'Development and Noise' – The LPA will use the development control process to reduce the impact of noise on people living and working in, or visiting, the city. The LPA will consider both the effect of new development proposals which are likely to be generators of noise and the implications of new development being exposed to existing sources which are effectively outside of planning control.

Other Material Considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment.

City Centre Strategic Plan 2015-2018 (March 2016)

On the 2 March 2016 the City Council's Executive approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to "shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England".

Manchester Strategy (January 2016)

The strategy sets the long-term vision for Manchester's future and how this will be achieved. An important aspect of this strategy is the City Centre and how it will be a key driver of economic growth and a major employment centre. Furthermore, increasing the centre for residential is fundamental along with creating a major visitor destination.

National Planning Policy Framework (July 2021)

The revised NPPF re-issued in July 2021. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 4 – Decision-making – States that local planning authorities should approach decisions on proposed developments in a positive and creative way, making use of pre-application discussions etc. In addition, applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance, the proposal will be assessed on up-to-date development plan and any other material considerations. The applicant made use of pre-application discussions and a site visit.

Section 12 – Achieving well-designed places – Planning decisions should ensure that developments will:

- Function well and add to the overall quality of the area for the lifetime of the development
- Are visually attractive because of good architecture, layout and appropriate/effective landscaping
- Are sympathetic to local character and history, including the surrounding built environment and landscape settings and not prevent or discourage appropriate innovation or change (such as increased density)
- Establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinct places to live, work and visit.
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
- Create places that are safe, inclusive, accessible, healthy and promote wellbeing with high standards of amenity for existing and future users and where crime, disorder and fear of crime do not undermine the quality of life or community cohesion and resilience. (Paragraph 130)

Section 14 – Planning for Climate Change – New development should be planned for in ways which, amongst other things, can help to reduce greenhouse gas emissions, such as through its location, orientation, and design (Paragraph 154).

Section 16 – Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (Paragraph 189).

In determining applications, LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance (Paragraph 194)

In determining applications, LP should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability
- The desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 197)

Where a proposed development will lead to total loss or substantial harm to a designated heritage asset (which includes Conservation Areas), LPAs should refuse consent, unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or **all** of the following apply:

- The nature of the heritage asset prevents all reasonable use of the site
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation
- Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible
- The harm or loss is outweighed by the benefit of bringing the site back into use (Paragraph 201)

Where a development proposal would lead to less than substantial harm to the significance of designated heritage asset (which includes Conservation Areas), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (Paragraph 203).

LPAs should look for opportunities for new development within Conservation Areas. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) will be treated favourably (Paragraph 207).

National Planning Practice Guidance (NPPG)

Climate Change – When making decisions, LPA should pay particular attention to integrating adaptation and mitigation approaches and looking for ‘win-win’ solutions that will support sustainable development. This could be achieved in a variety of ways, such as maximising summer cooling through natural ventilation in buildings and avoiding solar gain

Historic Environment – Any decisions where listed buildings and their settings and conservation areas are a factor must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular Sections 16, 66 and 72) as well as applying the relevant policies in the development plan and National Planning Policy Framework.

When considering an application affecting an unlisted building that makes a positive contribution to a conservation area, it is individually of less importance than a listed building. Paragraph 201 of the National Planning Policy Framework is considered 'the starting point' in this instance.

Non-designated heritage assets are buildings etc. identified as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets. In some cases, LPAs may identify non-designated heritage assets as part of the decision-making process on planning applications.

Noise – Noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment. When making decisions about new development, there may be opportunities to make improvements to the acoustic environment.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

Section 72 of the Act requires the LPA to, during the assessment for planning permission, exercise due respect to any buildings or other land that falls within a designated conservation area. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.

Equality Act (2010)

S149 (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.

Conservation Area Declaration

Parsonage Gardens conservation area is based on a square of the same name - a small, tranquil oasis close to the heart of Manchester.

The conservation area was designated in June 1985. Its boundaries are Blackfriars Street, Deansgate (a common boundary with the St Ann's Square conservation area), Bridge Street (a common boundary with the Deansgate/Peter Street conservation area) and St Mary's Parsonage. The River Irwell forms the western boundary of the area along the line of the administrative border of the City of Salford.

Issues

Principle of Development

The proposal aims to renovate the internal office space within the application property. In relation to this, modest alterations are proposed to the external appearance of the building. Notwithstanding further and more detailed assessment, the principle of improving an existing office building within the city centre to provide improved/additional office accommodation would be acceptable in principle, as it would be consistent with Core Strategy policies EC2 and CC1.

Impact on Non-Designated Heritage Asset

The proposed additions and alterations to the building will inevitably have some impact on its character and appearance.

- Windows

The proposal is to replace the windows and window units across the building. It is assessed by the applicant and LPA that this would cause some degree of harm to the appearance and character of the building. It is noted that the applicant has explored other options that would have avoided the entire removal of the windows and replacement with like for like double glazed timber framing. However, other options were discounted. Double glazed panels in the existing frames cannot be accommodated due to size constraints. The replacement of the single glazing with alternative single glazing is possible but was not considered feasible in this instance.

In addition to the above, there are public and societal benefits through replacing the windows, including a decrease in carbon emissions through the increased thermal performance. This would also allow the continued use of the building as a high quality office building.

- Cross Sections

Upon assessment of the submitted drawings and documents, whilst the installation of the rooflights and roof alterations are acceptable, further details are required in this regard including appropriate cross sections and details of the type and style of the interventions. This can be secured by way of planning condition.

- Lighting

Initial concerns regarding the scale of the lighting, particularly from a energy performance point of view, were raised with the applicant. The applicant reviewed the lighting and a response from a lighting design expert was provided to the LPA. This advice confirmed that the lighting would be low in terms of its demands on energy, with a 52.3kWh per month demand, with £100 being the expected annual cost to run the lighting. This is deemed acceptable and the lighting design itself is not questioned. Full and final details with regards to the lighting detail, including wiring, will be required.

- Fan Light

The fan light to the front elevation of the building above the main entrance is to be removed and replaced with a curtain walling system. Whilst the fan light contributes architecturally to the building, the applicant has demonstrated that this is a non-original

feature. On balance, it is not considered that the loss of this feature would cause undue harm to the non-designated heritage asset's character or appearance, on balance.

- Roof Alterations/Extensions

The building's roof extensions are accepted in principle. However, further details and finalisation of materials would need to be provided and agreed with the LPA prior to these works commencing.

- Cleaning/Repair of Building

Any cleaning or external repairs of the building would require due assessment and would need to be carried out in such a way that the building's character and appearance is not unduly caused, nor any damage. A method statement for such works and any external repairs should be provided prior to these works commencing.

Upon consideration of the types of work being carried out to the non-designated heritage asset, it is considered, on balance, that less than substantial harm would be caused to the non-designated heritage asset. As per the NPPF, a balanced judgement needs to be made between the scale of the changes proposed and the need to retain/enhance the asset. In this instance, it is deemed that an appropriate balance has been struck and the proposal is consistent with Policies SP1, EN3 and CC9 of the Core Strategy, saved Unitary Development Plan policy DC18.1 and Section 16 of the NPPF, as well as the NPPG.

Impact on Setting of Listed Buildings

The proposed alterations to the non-designated heritage asset are modest in terms of how they would alter the external appearance of the building. The application building can be viewed in context with Grade II listed buildings to the north of the application property. The north elevation of the building is subject to only minimal alterations, consisting primarily of replacement windows with a like for like appearance, non-material changes to other elevational features and feature lighting. It is not considered these proposals would have a discernible impact on the setting of the Grade II listed buildings that are proximate to the application property.

As a result, the proposed development would be consistent with Core Strategy policies SP1, EN3 and CC9 as well as saved Unitary Development Plan policy DC18.1, Section 16 of the NPPF and the NPPG.

Impact on Parsonage Gardens Conservation Area

The development proposals consist of largely modest and inconsequential alterations to the exterior of the listed building. The overall appearance of the building would remain similar. Alterations to the roofscape would be largely obscured from view from the street scene and would not be so significant that they would fundamentally alter the character or appearance of the conservation area. Some of the alterations proposed would alter non-original features (for example, the fanlight feature above the main entrance) and reinstate design elements that are more in-keeping with the building's original appearance.

Overall, though some alterations to the building's external appearance, these would have a neutral impact on the character and setting of the Parsonage Gardens Conservation Area. It is considered that the proposal is in line with Core Strategy Policies CC9 and EN3, as the proposal would preserve identified heritage assets. The proposal would not lead to a major change in appearance to the building so it is not considered that saved Policy DC18.1 is triggered in this instance. The proposed development is also consistent with relevant NPPF and NPPG policies.

Amenity (Noise)

The proposed development would not include any changes of use that require consideration. The development proposals alterations to the building's windows. Whilst alterations to windows may lead to changes to sound emanating from or entering the building, the alterations are demonstrated to decrease the breakout of noise/the chance of noise affecting the existing use within the building. As a result, it is not considered necessary to review this potential impact and it would be expected that the proposal would not lead to undue impact to the users or occupiers of nearby buildings/the host building.

The proposed development does include alterations to the roofscape and the inclusion of new/replacement plant equipment, both at roof level and at lower levels behind louvred screening. It is indicated within submitted information that the final plant equipment has not yet been selected. As a result, it would be necessary to add a condition requiring both an amended acoustic report and verification that the findings therein are achieved.

Subject to suitable conditions, it is considered that the proposal is acceptable and would be consistent with saved UDP Policy DC26.1 and policies SP1, DM1 of the Manchester Core Strategy.

Amenity (Lighting)

The proposal includes the illumination of the building through an external lighting scheme. Notwithstanding design implications, the proposed lighting scheme would require consideration as to its brightness and potential overspill to nearby receptors. As such, an appropriate condition will be required to ensure the lighting scheme would be consistent with Core Strategy policies SP1 and DM1.

Accessibility

A review of the information and plans has been undertaken and it is demonstrated within submitted information that all areas of the building will be accessible, including to those who rely on wheelchairs for mobility etc. As such, it is considered that the proposal is consistent with policies SP1 and DM1 of the Manchester Core Strategy.

Climate Change

The proposed development has been submitted partly in response to increasingly stringent regulation relating to climate change mitigation and adaptability. As part of the proposal, a comprehensive upgrade of the building's fenestration system is proposed. Notwithstanding assessment in terms of design and heritage, which is

undertaken within other sections of this report, it is evident and demonstrated that the alterations to the building's fenestration system will lead to significant improvements in the building's energy performance. The increase in energy performance is likely to decrease the amount of energy required to heat/cool the building. As such, the proposal meets the test of Paragraph 154 of the NPPF, as well as the guidance set out in the NPPG. In terms of local policy, Policy EN4 of the Core Strategy encourages proposals that achieve energy efficiency through design, such as appropriate glazing.

Some concern was raised regarding the building's proposed lighting scheme. Further information was provided by a lighting expert confirming that the energy performance of the lighting would mean that the lighting would have negligible impact on energy costs, performance and by extension carbon emissions.

Overall, in terms of climate change mitigation/adaptation, the proposal is consistent with national policy, as well as Core Strategy policies SP1, EN4 and DM1.

Ecology

The application is accompanied by a bat survey that sets out accepted mitigation for the potential impact to current or future roosting bats. In addition, an appropriate informative can be added with regards to nesting birds. Subject conditions and informatives, the application is acceptable in terms of ecological impact and is consistent with Core Strategy policies DM1, SP1 as well as the NPPF and NPPG.

Crime

The proposal includes alterations to the building's fenestration. As a result, an informative has been recommended by Greater Manchester Police, informing the applicant that safety standards of the proposed doors and windows requires due consideration. It is proposed that the informative will be duly added to any approval.

The proposal is consistent with Core Strategy policies DM1 and SP1 as well as Section 8 of the NPPF.

Highways

The proposed development is contained wholly within the red edged plan and would not directly impinge on any surrounding highways or footways. However, an informative has been suggested ensuring that any works that require a highways licence are applied for. In addition, some informatives have been suggested by highways that will be considered and added to any approval if necessary. The proposal is consistent with Core Strategy policies SP1, T1 and DM1.

Conclusion

The application proposes alterations to a non-designated heritage asset within a Conservation Area. As such, the proposed alterations to the building have been carefully considered against the historic context of both the building and its surroundings. Though some alterations may have some modest impact to the character of the building, it is considered that public benefits (improved energy performance and the continued use of the building) outweigh the very modest harm caused to the building's appearance and character. Alterations have been carefully

selected to minimise the harm as much as reasonably possible. The proposal would be expected to improve the office accommodation and encourage the restoration and preservation of an important non-designated heritage asset, with no undue amenity impacts to users or occupiers of surrounding buildings on highways.

As such, it is considered that the proposal is consistent with relevant policies within Manchester's Core Strategy, saved policies within the Unitary Development Plan, the NPPF and NPPG. As the proposal thus represents sustainable development, it should be approved without delay.

Human Rights Act 1998

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 the right to a fair hearing and to this end the Committee 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 of the application 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:

That planning permission be granted subject to the following conditions.

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

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

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

Drawings

- Location Plan (Drawing 2001 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Existing Site Plan (Drawing 2201 Revision P01 dated 28 March 2022) – Received 01 April 2022

- Proposed Site Plan (Drawing 2202 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Existing Basement 01 Plan (Drawing 2098 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing Basement 02 Plan (Drawing 2097 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing Lower Ground Floor Plan (Drawing 2099 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing Ground Floor Plan (Drawing 2100 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing First Floor Plan (Drawing 2101 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing Second Floor Plan (Drawing 2102 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing Third Floor Plan
- Existing Fourth Floor Plan (Drawing 2104 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing Roof Plan (Drawing 2105 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Existing North Elevation (Drawing 4100 Revision P03 dated 28 March 2022) – Received 01 April 2022
- Existing East & West Elevation (Drawing 4102 Revision P03 dated 28 March 2022) – Received 01 April 2022
- Existing South Elevation (Drawing 4101 Revision P03 dated 28 March 2022) – Received 01 April 2022
- Existing Lightwell Elevation (Drawing 4103 Revision P03 dated 28 March 2022) – Received 01 April 2022
- Existing Longitudinal Section AA (Drawing 5100 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Existing Longitudinal Section BB (Drawing 5101 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Existing and Proposed King Street Ground Floor Detailed Elevations (Drawing 2201 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Existing and Proposed Back Bridge Ground Floor Detailed Elevations (Drawing 2202 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Proposed Basement 01 Plan (Drawing 2138 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Basement 02 Plan (Drawing 2137 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Lower Ground Floor (Drawing 2139 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Ground Floor Plan (Drawing 2140 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed First Floor Plan (Drawing 2141 Revision P02 dated 28 March 2022) – Received 01 April 2022

- Proposed Second Floor Plan (Drawing 2142 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Third Floor Plan (Drawing 2143 Revision P03 dated 28 March 2022, Received 01 April 2022)
- Proposed Fourth Floor Plan (Drawing 2144 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Roof Plan (Drawing 2146 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed North Elevation (Drawing 4140 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed East & West Elevation (Drawing 4142 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed South Elevation (Drawing 4141 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Lightwell Elevations (Drawing 4143 Revision P02 dated 28 March 2022) – Received 01 April 2022
- Proposed Longitudinal Section AA (Drawing 5140 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Proposed Longitudinal Section BB (Drawing 5141 Revision P01 dated 28 March 2022) – Received 01 April 2022
- Proposed North Elevation External Lighting Layout (Drawing 3001 dated 15 February 2022) – Received 01 April 2022
- Proposed East and West Elevation External Lighting Layout (Drawing 3002 dated 15 February 2022) – Received 01 April 2022

Supporting Documents

- Covering Letter prepared by Paul Butler Associates (Reference 21.1658 dated 28 March 2022) – Received 01 April 2022
- Design & Access Statement prepared by EPR Architects (Reference Kings House, Manchester Revision 01 dated 18 March 2022) – Received 01 April 2022
- Lighting Assessment prepared by Artin Light (Reference 201867-RPT-1003 dated 22 March 2022) – Received 01 April 2022
- Planning Energy Statement prepared by Ramboll (Reference Kings House Manchester, dated March 2022) – Received 01 April 2022
- Planning Statement prepared by Paul Butler Associates (Reference Kings House Manchester dated 28 March 2022) – Received 01 April 2022
- Ventilation Statement prepared by Ramboll (Reference 1620011488-RAM-XX-XX-RP-ZZ-00004 Revision P01 dated 24 March 2022) – Received 01 April 2022
- Noise Impact Assessment prepared by DBX Acoustics (Reference 21091 Revision R02 dated 23 March 2022) – Received 01 April 2022
- Bat Roost Assessment Report prepared by Tyler Grange (Reference 14426_R01a_DP_TW dated 04 February 2022) – Received 01 April 2022
- Heritage Statement prepared by Paul Butler Associates (Reference Kings House Manchester dated 28 March 2022) – Received 01 April 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.

3. Notwithstanding the details shown in the approved documents and detailed in condition 2 of this consent, no removal of existing windows shall commence unless and until full details of the replacement windows (both to street facing elevation and courtyard facing elevation) has been submitted to and approved in writing by the City Council as local planning authority. The proposal for replacement windows shall be accompanied by the following details:

- a) a method statement for the works,
- b) full details of the materials, including the fittings and fully detailed elevations and cross sections including measurements,
- c) a full-scale sample window installed on site prior to the removal of all but one of the existing windows (both to a street-facing elevation and courtyard elevation window). This sample window shall be made available for inspection by the Local Planning Authority.

The replacement windows shall be installed only in accordance with the approved details including samples and shall be as close to 'like for like' in the profile and appearance as possible to the existing windows.

Reason - In the interests of visual amenity in accordance with saved policy DC19.1 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

4. Notwithstanding the details as set out in Conditions 2 and 3 above, no construction shall commence with regards to each of the following points unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority:

- a) Full and final details and cross section of the proposed conservation style roof lights to the roof
- b) Full and final details (including materials and fixing details and cross section, of all proposed additional structures/roof structures to the roofscape of the building, including roof anchoring system.
- c) Full and final details (including materials and colour scheme) of all proposed plant equipment to the roof and not obscured from view by proposed rooftop structures
- d) Full and final details including methodology of brickwork repair and/or cleaning and reinstatement (including use of sealant, paint or any other finishes)
- e) Full details, location and extent of means of affixing any proposed fittings and fixtures (including but not limited to lighting rigs and wiring/connections) to the

structure, including where possible a programme of making good any interventions/fixings in the future.

Reason: To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of visual amenity of the area within which the site is located, as specified in policies SP1, DM1 and EN3 of the Core Strategy and saved Policy DC18.1 of the Manchester Unitary Development Plan.

5. Prior to the commencement of the construction phase of the development a detailed construction and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include

- Method Statements and risk assessments for construction and demolition works
- Display of an emergency contact number to be displayed in a publicly accessible location
- Dust and dirt suppression measures
- Compound locations where relevant
- Location, removal and recycling of construction waste
- Details of the vehicular activity associated with the construction, including a strategy for the routing of construction traffic and swept path analysis
- Details of the location and arrangements for all parking of all construction related vehicles and staff
- Community consultation strategy, including a strategy for consultation with affected residents and local businesses, which shall include details of how there will be engagement, consultation and notification during the works
- construction and demolition methods to be used; including the use of cranes
- a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

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 and DM1 of the Manchester Core Strategy (July 2012).

6a) Prior to the installation of the externally mounted ancillary equipment and ground level plant located behind the louvres, the equipment shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment.

Externally mounted ancillary 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 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

b) Upon completion of the development and within 6 months of the equipment becoming operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that 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 within 6 months of the equipment becoming operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7. 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 (Lighting Assessment prepared by Artin Light (Reference 201867-RPT-1003 dated 22 March 2022) – Received 01 April 2022)

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 - To safeguard the amenities of the occupiers of nearby properties pursuant to conditions SP1 and DM1 of the Core Strategy for the City of Manchester.

8. All contractors shall be instructed in accordance with the details contained in the Preliminary Bat Roost Assessment Report prepared by Tyler Grange (Ref 14426_RO1a_DP_TW) Section 4.4 as submitted with the planning application before commencing work on the building.

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.

9. The development hereby approved shall provide for full disabled access for users and occupiers of the building to via an appropriate accessible entrance and to all the above ground floors of the building via the proposed lifts.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policies CC10 and DM1

