

Planning

Delegated Officer Report

Summary of application details

Application reference:	145691/JO/2026
Application type:	Removal/variation of conditions
Proposal:	Variation of Conditions 4 (Construction Contract) and 5 (Cease Works) of Listed Building Consent 142655/JO/2025 to amend triggers.
Site address:	50 Fountain Street Manchester M2 2AS
Ward(s):	Deansgate
Date application valid:	14 April 2026
Applicant name:	Prudential Nominee UK Limited
Agent (if any):	Mr Joshua Wyatt-Smith
Case officer:	Michael Pearson
Recommendation:	Approve
Date of recommendation:	15/06/2026

Description of site, building and/or area

The application relates to 50 Fountain Street which is comprised of the Grade II listed façade that fronts out onto Spring Gardens, Concert Lane and Fountain Street, as well as the contemporary four storey modernist office block situated to its rear. The application is subject to an extant planning permission and listed building consent for the demolition of the contemporary 1970s office building to the rear of the site, and the erection of a replacement seven storey building, and retention of listed façade (All approved under permissions 131859/FO/2021 and (Amended by 142725/NMC/2025 and 145693/NMC/2026) and 142655/JO/2025).

The neighbouring area lies within the heart of the City Centre and the Upper King Street Conservation Area. Neighbouring development consists of a high number of listed buildings including the Grade II* listed Former Reform Club and former Midland Bank, as well as the Grade II listed no47, and no60 and no62 Spring Gardens. Neighbouring uses comprise of a high number of commercial properties in restaurant (Class E(b)), and office uses (Class E(g)(i)).

Description of development

The application seeks to vary listed building consent 142655/JO/2025 to alter the wording of conditions 4 (Construction Contract) and 5 (Cease Works) to allow the main body of works to commence by April 2027.

The alterations would comprise of the alteration of the trigger point for the discharge of conditions 4 and 5.

Relevant planning history

145693/NMC/2026 - Non-Material Amendment to Planning Permission 131859/FO/2021 (142725/NMC/2025 as amended) to amend the wording of Planning Conditions 26 and 27 to alter triggers – Approved April 2026.

CDN/25/0607 - Discharge of condition 3c (Door Materials) pursuant to listed building consent 142655/JO/2025 – Approved June 2025.

142725/NMC/2025 - Non-material amendment to revise the wording of conditions 3 (Materials), 4 (Local Labour), 5 (CMP), 6 (Ground contamination), 7 (Landscaping), 9 (Archaeology), 10 (SuDs) and 16a (Delap) of planning permission 131859/FO/2021 to amend trigger points to discharge conditions – Approved May 2025.

142655/JO/2025 - Variation of condition application to vary condition 3 (Materials) attached to listed building consent 131860/LO/2021 Approved May 2025.

131860/LO/2021 - LISTED BUILDING CONSENT for the demolition of modern extension to Grade II Listed building, retention and refurbishment of original Victorian facade, erection of commercial building (Use Class E), re-instatement of the original entrance on 49 Spring Gardens, new structural bracing, abutment works to the adjacent Grade II* Listed Estate Exchange, and other associated works – Approved July 2022.

131859/FO/2021 - Full Planning Permission for the demolition of modern extension to Grade II Listed building, retention and refurbishment original Victorian facade, erection of commercial building (Use Class E) with landscaping, and other associated works – Approved June 2022.

F06409 - Reserved Matters Details of a new office building on the site of 46b, 48 and 52 Fountain Street and internal alterations to 49 Spring Gardens arising out of the outline planning permission (Ref. F02414) granted on 21st May 1975 – Approved March 1977.

F02182/LB - Listed Building Consent Internal alterations, a plant room at roof level and a 4-storey extension at rear of existing offices to provide toilet accommodation – Approved February 1975.

F02414 - Erection of new office building with connecting bridge over Concert Lane to existing bank premises after demolition of 46B and 48 Fountain Street – Approved February 1975.

Consultation, notification and publicity responses

Publicity – A site notice and press notice were published. Neighbouring properties were notified of the proposals by letter. One letter of objection was received, the reasons cited for the objection can be summarised as follows:

- The development was not implemented in line with the timescales set out within the conditions attached to it. This has adversely affected neighbouring businesses by providing uncertainty and its likely effects on neighbouring properties. A new application should be required for the proposed development to allow for full scrutiny.

Relevant policies

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat1 – Core Growth Area
- Policy JP-Strat2 – City Centre

- Policy JP-P2 – Heritage

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC2 – Existing Employment Space
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:

- Policy DC19 – Listed Buildings

National Planning Policy Framework (NPPF)

- Chapter 16 – Conserving the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the LBCA 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 considerable importance and weight should be given to the desirability of preserving the setting.

Assessment

50 Fountain Street is a Grade II listed façade dating from the late 19th century, with a post-war modernist extension to its rear. The application site is subject to a live listed building consent, number 142655/JO/2025, that would see the demolition of the modernist rear extension, the subsequent erection of a new building/extension, as well as some minor works to the listed façade.

The proposal would not materially alter the works already consented for on the listed façade but merely the trigger point for the submission of information to satisfy conditions 4 and 5, namely a contract for the construction and completion of the remaining development, from 05/07/2026 to 05/04/2027. Such an alteration is considered would have a neutral impact on the listed building given that the nature of the condition would remain the same.

In light of the above, the proposal is considered would accord with the Planning (Listed Building and Conservation Areas) Act 1990 and as such is in accordance with policies SP1, EC2, CC1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policies JP-Strat2 and JP-P2 and the National Planning Policy Framework.

Other Matters

The objection received cites concern over the proposal's impact on neighbouring businesses and that the permission has lapsed. It has been demonstrated that works have commenced on site, furthermore, neighbouring amenity is not a material consideration in the determination of applications for listed building consents. As such, this will bear no weight in the determination of this application.

Conclusion

In light of the above and subject to appropriate planning condition, the proposal has been found to be acceptable and would not impact the heritage asset in a different way to that already granted consent for under listed building consent 142655/JO/2025. Further to this the proposal is therefore in accordance with Places for Everyone Plan Policies JP-Strat1, JP-Strat2 and JP-P2, policies SP1, EC2, CC1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC19.1 of the Unitary Development Plan for the City of Manchester (1995), the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis permission is recommended for approval.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Conditions attached to this decision

- 1) The development hereby approved shall commence no later than 05/07/2025.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Location Plan - Existing Site (142-JMA-MP-XX-P-A-000000 Revision A); Existing Block Plan (142-JMA-MP-XX-P-A-001000 Revision A); Proposed Block Plan (142-JMA-MP-RF-P-A-001200 Revision B); Existing Ground Floor - GA Plan (142-JMA-B1-00-P-A-022000 Revision A); Existing 1st Floor - GA Plan (142-JMA-B1-01-P-A-022001 Revision A); Existing 2nd Floor - GA Plan (142-JMA-B1-02-P-A-022002 Revision A); Existing 3rd Floor - GA Plan (142-JMA-B1-03-P-A-022003 Revision A); Existing 4th Floor - GA Plan (142-JMA-B1-04-P-A-022004 Revision A); Existing Roof - GA Plan (142-JMA-B1-RF-P-A-022005 Revision A); Existing Basement - GA Plan (142-JMA-B1-B1-P-A-022099 Revision A); Existing Ground Floor - Demolition GA Plan (142-JMA-B1-00-P-A-022100 Revision A); Existing 1st Floor - Demolition GA Plan (142-JMA-B1-01-P-A-022101

Revision A); Existing 2nd Floor - Demolition GA Plan (142-JMA-B1-02-P-A-022102 Revision A); Existing 3rd Floor - Demolition GA Plan (142-JMA-B1-03-P-A-022103 Revision A); Existing 4th Floor - Demolition GA Plan (142-JMA-B1-04-P-A-022104 Revision A); Existing Roof - Demolition GA (142-JMA-B1-RF-P-A-022105 Revision A); Existing Basement - Demolition GA Plan (142-JMA-B1-B1-P-A-022199 Revision A); Ground Floor - GA Plan (142-JMA-B1-00-P-A-022200 Revision B); Mezzanine - GA Plan (142-JMA-B1-M-P-A-022200M Revision B); 1st Floor - 2nd Floor - GA Plan (142-JMA-B1-01-P-A-022201 Revision B); 3rd Floor - GA Plan (142-JMA-B1-03-P-A-022203 Revision B); 4th Floor - GA Plan (142-JMA-B1-04-P-A-022204 Revision B); 5th Floor - GA Plan (142-JMA-B1-05-P-A-022205 Revision B); 6th Floor - GA Plan (142-JMA-B1-06-P-A-022206 Revision B); 7th Floor - GA Plan (142-JMA-B1-07-P-A-022207 Revision B); Roof - GA Plan (142-JMA-B1-RF-P-A-022208 Revision B); Basement - GA Plan (142-JMA-B1-B1-P-A-022299 Revision B); Elevation AA, Fountain Street - Existing GA Elevation (142-JMA-B1-SE-E-A-042000 Revision A); Elevation BB, Spring Gardens - Existing GA Elevation (142-JMA-B1-SW-E-A-042001 Revision A); Elevation CC - Existing GA Elevation (142-JMA-B1-NE-E-A-042002 Revision A); Elevation DD, Concert Lane - Existing GA Elevation (142-JMA-B1-NW-E-A-042003 Revision A); Elevation AA, Fountain Street - Demolition GA Elevation (142-JMA-B1-SE-E-A-042100 Revision A); Elevation BB, Spring Gardens - Demolition GA Elevation (142-JMA-B1-SW-E-A-042101 Revision A); Elevation CC - Demolition GA Elevation (142-JMA-B1-NE-E-A-042102 Revision A); Elevation DD, Concert Lane - Demolition GA Elevation (142-JMA-B1-NW-E-A-042103 Revision A); Elevation AA, Fountain Street - GA Elevation (142-JMA-B1-SE-E-A-042200 Revision C); Elevation BB, Spring Gardens - GA Elevation (142-JMA-B1-SW-E-A-042201 Revision C); Elevation CC - GA Elevation (142-JMA-B1-NE-E-A-042202 Revision C); Elevation DD, Concert Lane - GA Elevation (142-JMA-B1-NW-E-A-042203 Revision C); Heritage Asset Strategy (142-JMA-B1-XX-X-A-042299 Revision A); Section AA' - Existing GA Section (142-JMA-B1-AA-S-A-052000 Revision A); Section AA' - Demolition GA Section (142-JMA-B1-AA-S-A-052100 Revision A); Section AA' - GA Section (142-JMA-B1-AA-S-A-052200 Revision C); Study Bay 01 - Fountain Street: Stepped terraces (142-JMA-B1-SE-D-A-104200) Study Bay 02 - Fountain Street: Ground Floor (142-JMA-B1-SE-D-A-104201); Study Bay 03 - Fountain Street: Step back (142-JMA-B1-SE-D-A-104202).

Design and Access Statement - Jon Matthews Architects; Statement of Consultation - Deloitte; Planning and Public Benefits Statement - Deloitte; Heritage Appraisal - Stephen Levrant Heritage Architecture; Desk based Archaeology Report – Pre-Construct Archaeology Limited; Crime Impact Statement - Design for Security; Transport Statement - Vectos; Travel Plan Framework - Vectos; Waste Management and Servicing Strategy - Vectos; Ecology Survey including Bat Survey - Penny Anderson Associates; Arboricultural Impact Assessment - Urban Green; Environmental Standards Statement - Ridge; BREEAM Pre-assessment - Ridge; Energy Statement - Ridge; Flood Risk Assessment - Renaissance; Drainage Strategy - Renaissance; M&E Statement, including Ventilation and Extraction - Ridge; Local Labour Agreement - M&G; Noise and Vibration Assessment - Cundall; Air Quality Assessment - Cundall; TV Reception Survey - G-tech Surveys; Wind Microclimate Assessment - ArcAero; Phase 1 Geo-environmental Desktop Survey - Renaissance; Construction Management Plan - BAM Construction; Viability Appraisal - CBRE; Daylight and Sunlight Assessment - GreyScanlanHill;

- o Covering Letter (Prepared by Deloitte; Dated & Received 25/06/2025)
- o 50 Fountain Street Spring Gardens Entrance Materials (Prepared by Jon Matthews Architects; Dated & Received 20/08/2025)
- o Covering Letter (Prepared by Deloitte; Dated & Received 15/04/2026)

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) (a) Notwithstanding the details submitted with the application, prior to the commencement of development, excluding works to the entrance door located at 49 Spring Gardens identified on 142-JMA-B1-SW-E-A-042101 Revision A, 142-JMA-B1-SW-E-A-042201 Revision C and 142-JMA-B1-XX-X-A-042299 which shall be carried out in accordance with the submitted Schedule of Works (Prepared by Bullen Conservation; Dated 03/04/2025; Received 01/05/2025), the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all materials to be used on all external elevations of the development, including the roof terraces, and drawings to illustrate details of the full-sized sample panels that will be produced. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining, details of the glazing and a strategy for quality control management.

(b) All samples and specifications shall then be submitted to and approved in writing by the City Council as local planning authority in accordance with the programme as agreed for part a) of this condition.

(c) New materials to the entrance of 49 Spring Gardens shall be carried out in accordance with the approved Covering Letter (Prepared by Deloitte; Dated & Received 25/06/2025) and 50 Fountain Street Spring Gardens Entrance Materials (Prepared by Jon Matthews Architects; Dated & Received 20/08/2025), both received and approved under application CDN/25/0607.

The development shall be carried out in accordance with the approved materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

- 4) No development, other than the step removal works to the entrance door located at Spring Gardens identified on 142-JMA-B1-SW-E-A-042101 Revision A, 142-JMA-B1-SW-E-A-042201 Revision C and 142-JMA-B1-XX-X-A-042299, shall commence until a contract for the construction and completion of the remaining development has been let and appropriate evidence has been submitted for approval in writing by the City Council, as Local Planning Authority. The contract for construction and completion of the remaining development outside of the aforementioned step removal works must be let no later than the 05 April 2027.

Reason - To allow sufficient time to let the contract for the remainder of the development pursuant to policy SP1 of the Manchester Core Strategy (2012).

- 5) Should the contract for construction and completion of the development not be let by 05 April 2027, then all development activities on the site, outside of the step removal works to the entrance door located at 49 Spring Gardens identified on 142-JMA-B1-SW-E-A-042101 Revision A, 142-JMA-B1-SW-E-A-042201 Revision C and 142-JMA-B1-DXX-X-A-042299, shall cease and no further development shall be permitted by this planning permission.

Reason - To require the development activities to cease should the contract for the remainder of the development not be let pursuant to policy SP1 of the Manchester Core Strategy (2012).