

Application Number	Date of Appln	Committee Date	Ward
131859/FO/2021 and 131860/LO/2021	20 October 2021	30 Jun 2022	Deansgate

Proposal Full Planning Permission for the demolition of modern extension to Grade II Listed building, retention and refurbishment original Victoria facade, erection of commercial building (Use Class E) with landscap and other associated works.

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LISTED BUILDING CONSENT for the demolition of modern extensic Grade II Listed building, retention and refurbishment of original Victo facade, erection of commercial building (Use Class E), re-instatemer the original entrance on 49 Spring Gardens, new structural bracing, abutment works to the adjacent Grade II* Listed Estate Exchange, a other associated works.

Location 50 Fountain Street, Manchester, M2 2AS

Applicant Prudential Nominee UK Limited C/o Agent

Agent Mr Niall Alcock, Hanover Building, Corporation Street, Deloitte LLP

EXECUTIVE SUMMARY

The Committee deferred consideration of this proposal on 31 May 2022 to allow them to visit the site.

The proposal is 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.

There have been 6 representations.

Key issues

Height, scale, massing, design and visual impact of the proposal in the streetscene: The design, scale, architecture and appearance would create a high quality development that would make a positive contribution to the streetscene.

Impact on the setting of heritage assets: Any harm to heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme, in accordance with the provisions of Section 66 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Public benefits: Construction will generate 391 direct FTE jobs over the duration of the construction period and through direct investment. During the operational phase, the commercial space will directly support 340 FTE jobs. The significant number

employees will generate GVA worth over £35m per year, with wages totalling £14.5m, a considerable proportion of which will be spent locally, due to Manchester's growing population, particularly in the city centre. Each year, £2.94m of national insurance and income tax will be contributed to the public purse, while business rates from the offices could generate £800,000 a year, £8m over ten years of operation. The proposal would generate additional economic benefits to the local economy through indirect local expenditure. A local labour agreement would be included.

Sustainability: Sustainable design and innovation has been a priority, from controlling solar gain through passive measures to incorporating low and zero carbon technologies to reduce day to day emissions, including a mixed mode ventilation system and cycle parking.

A full report is attached below for Members consideration.

Introduction

The Committee deferred consideration of this proposal on 31 May 2022 to allow them to visit the site.

Description

This 0.2 ha site is bounded by Spring Gardens, Concert Lane, Estate Exchange, York Street and Fountain Street. The façade of 49 Spring Gardens is Grade 2 listed. The remaining buildings were constructed in the 1970s and adjoin the Grade II* Listed Estate Exchange. The site is in the Upper King Street Conservation Area and there are 16 Grade II and II* Listed Buildings within the 500m including 49 Spring Gardens, the Grade II* Exchange House and the Grade II* Former Midland Bank.

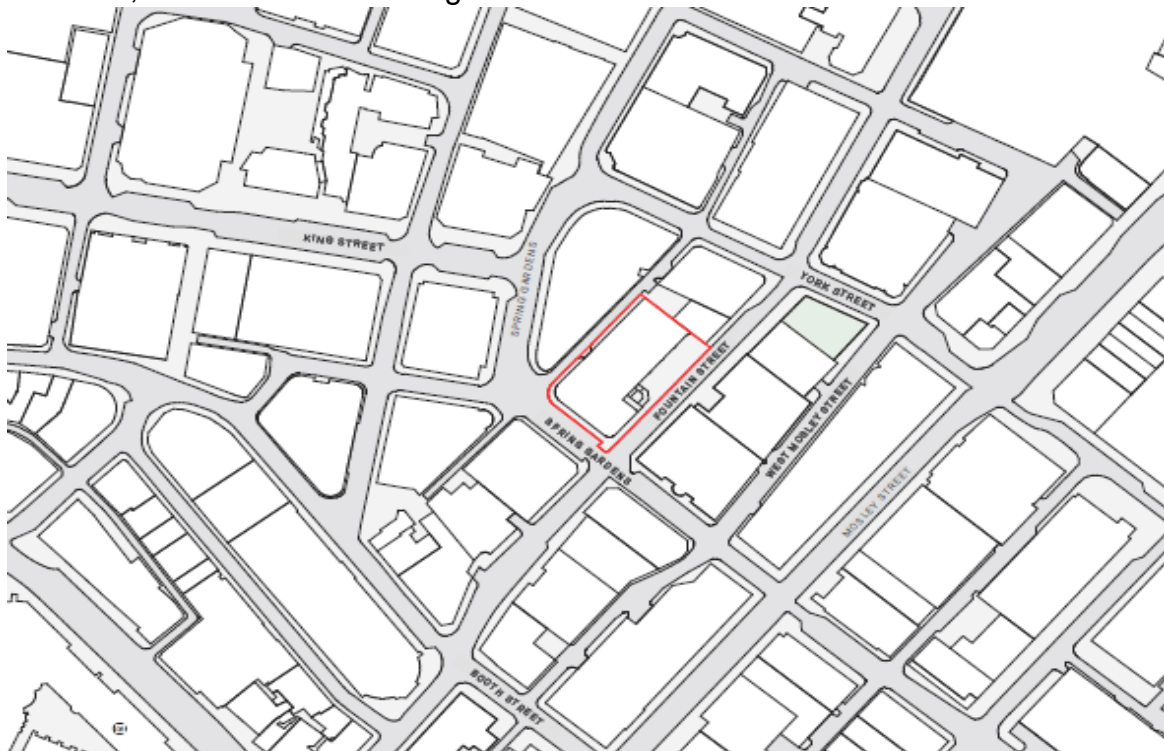


Figure 1 - Site Location Plan (edged red)



Figure 2 – View of Existing Building from Fountain Street

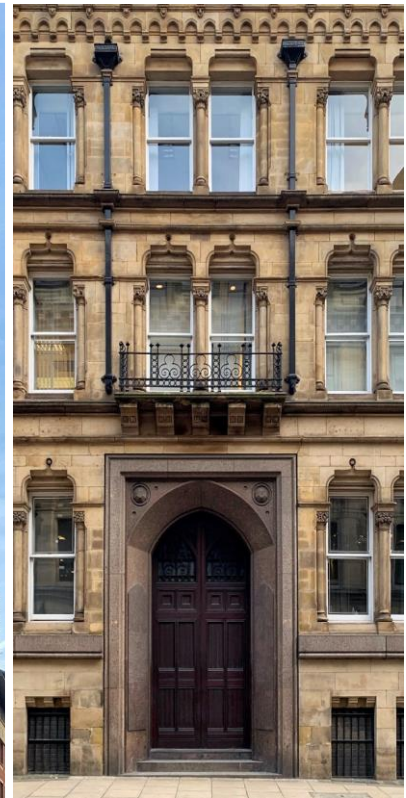


Figure 3 – Views of existing listed Façade of 49 Spring Gardens

The application proposes the development of 7,787 sq. m. office space (Class E(g)). The ground floor would accommodate reception space, shared workspace for meetings, breakout space and commercial space. There would be external terraces at Levels 3, 6 and 7. The basement would contain building services, support facilities and some plant to reduce rooftop plant, the cycle hub and a yoga studio.

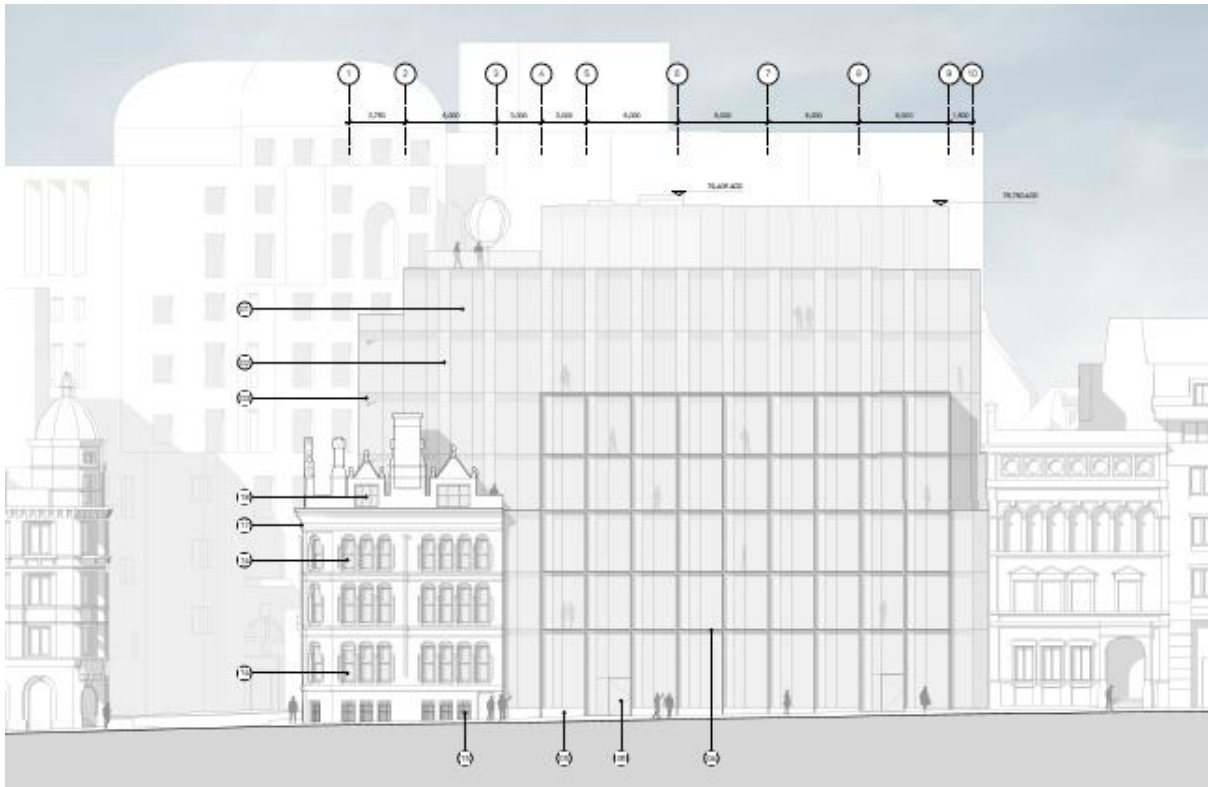


Figure 4 – Contextual elevation of building from Fountain Street

The listed facade at 49 Spring Gardens would be retained and the 1970s office building at 50 Fountain Street would be demolished. An entrance would be created through the retained façade and a six storey building would be constructed to back of pavement line on Fountain Street. It would have a basement and rooftop pavilion and plant enclosure.

The new build would have a 4m high ground floor to align the new floorplates to the windows of the retained façade. The building line would step back from Spring Gardens at levels 4 to 6 to create a terrace. This would increase the separation between the roofline of the retained façade and the new build and reduce the impact on the Former Midland Bank. There would be a pavilion and terrace at rooftop level and a plant enclosure.

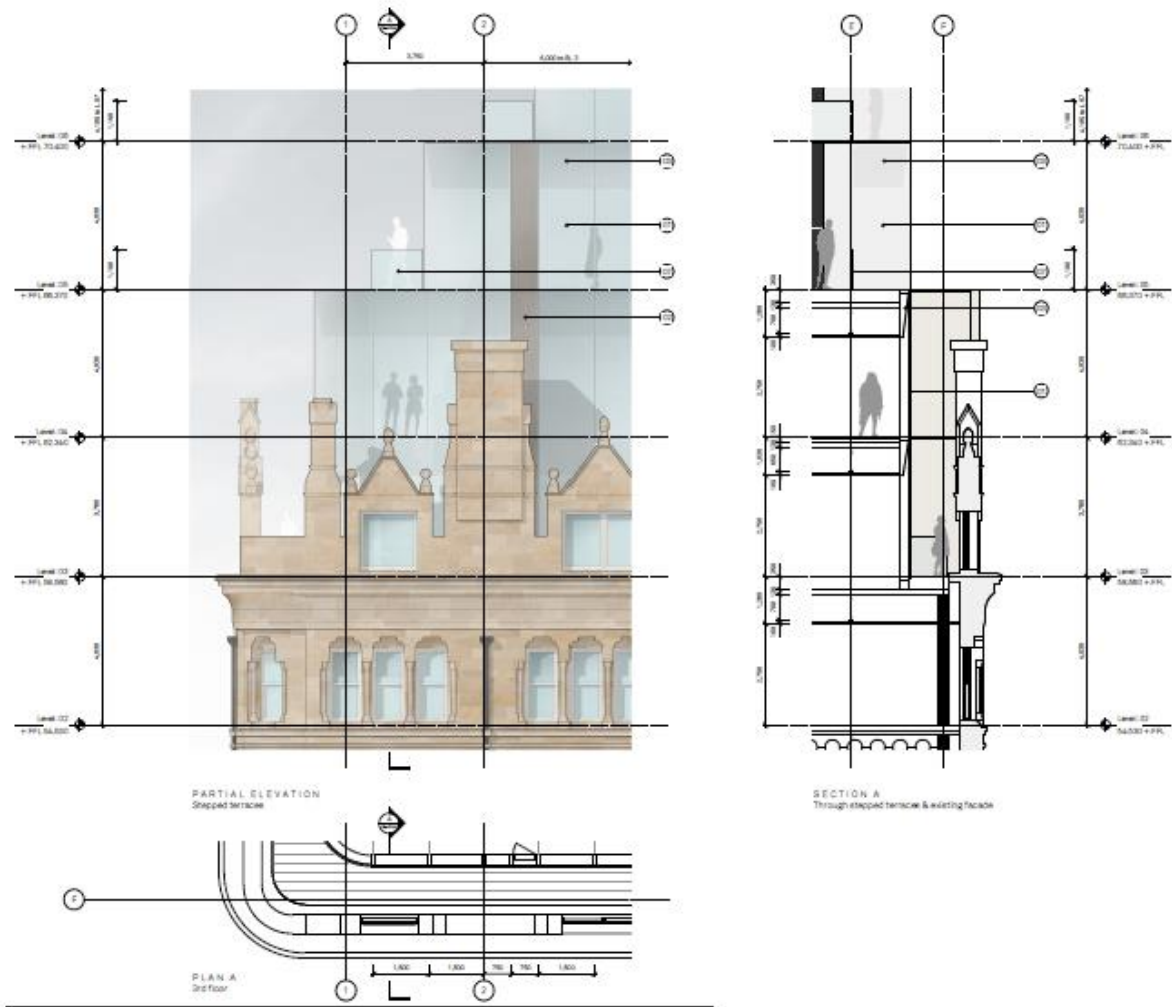


Figure 5 – Detailed elevations and sections of proposal

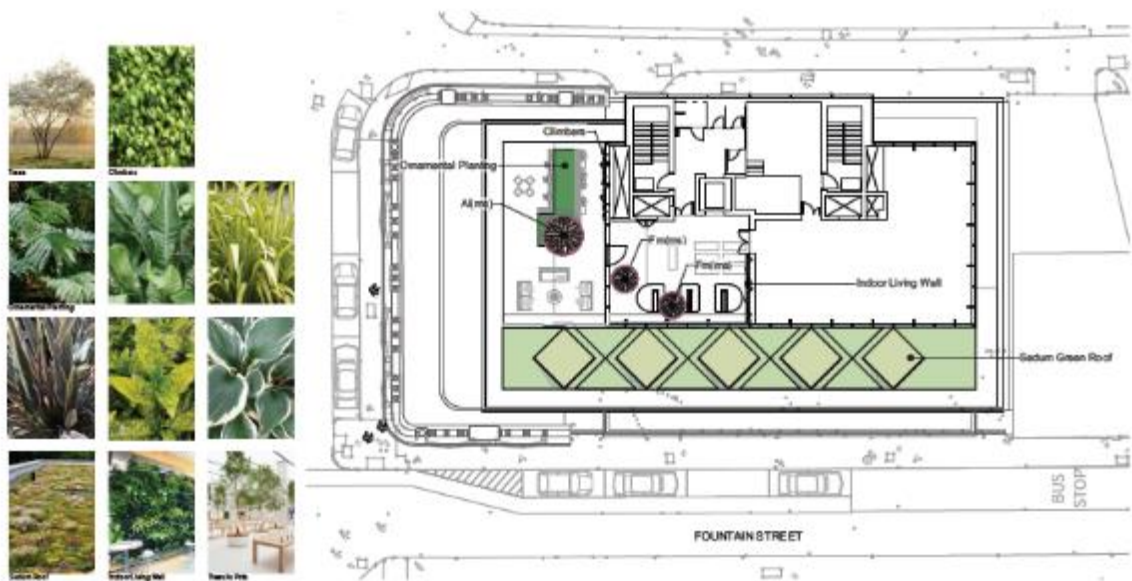


Figure 6 – Rooftop Plan (proposed)

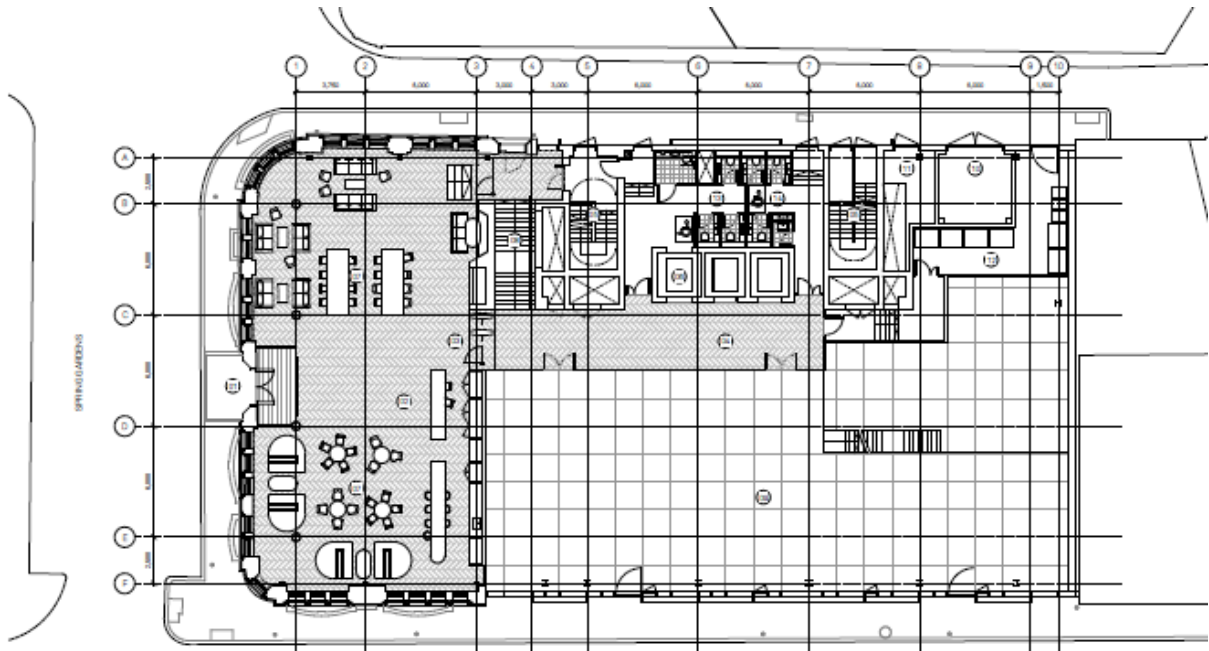


Figure 7 – Ground Floor (Proposed)

A 54 space basement cycle hub has accessible changing rooms; and showers, lockers and drying rooms. Direct level access would be provided at ground floor and throughout the building.

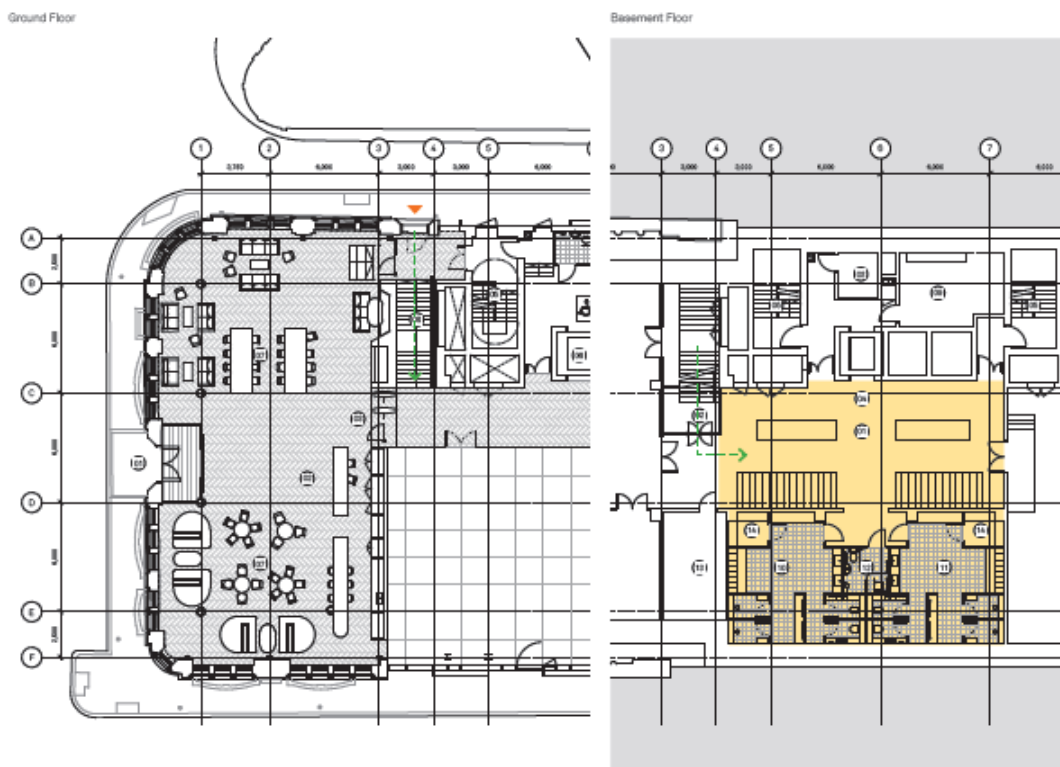


Figure 8 – Basement access to cycle store (proposed)

There would be a recycling and refuse store at ground floor and collections would take place from Concert Lane. A parcel store in the basement would contain Amazon

style secure lockers. Access would be restricted to authorised staff only which is acceptable to the Greater Manchester Police's Secure by Design team.

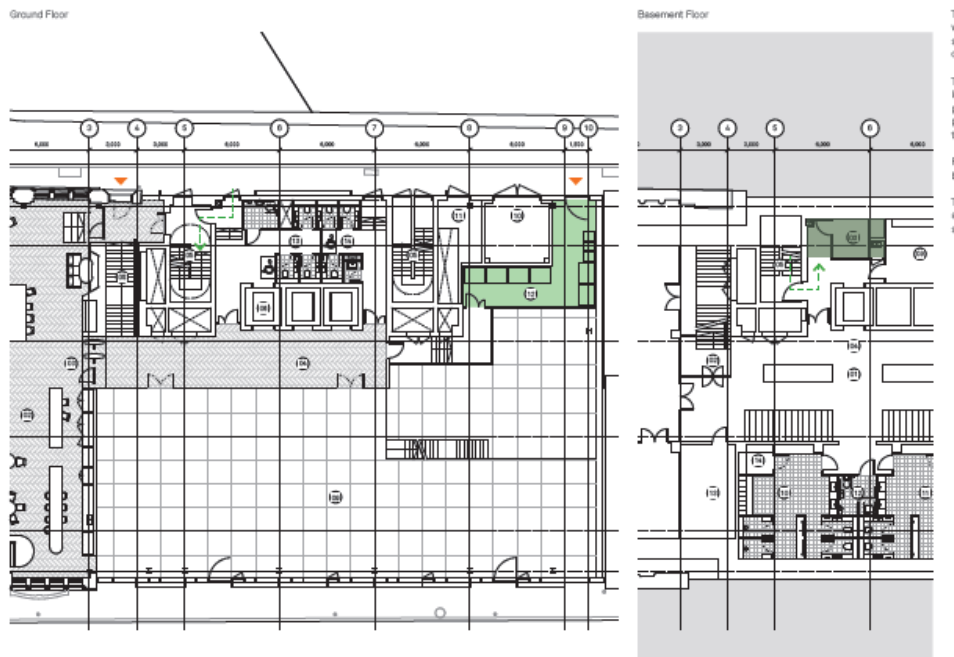


Figure 9 – Secure parcel area access in basement (Proposed)



Figure 10 – CGI showing new elevation (Fountain Street)

The new build would comprise glazed and aluminium panels. The colour specification and treatment of the aluminium would be a neutral bronze and champagne tone to respond to the Portland Stone and Sandstone in the area.

Consultations.

Publicity

The applications have been advertised in the Manchester Evening News as: a major development; affecting the setting of listed buildings/listed building consent; affecting a conservation area; affecting a right of way and in the public interest. Site notices have been displayed and the occupiers of nearby properties have been notified. 9 representations were received. The main issues raised are summarised below:

- the design is brutal and thoughtless on a site in a conservation area surrounded by listed buildings and heritage assets. The design should be reconsidered.
- The proposed façade design has no sympathy with its surroundings including listed buildings.
- The proposal would lead to the loss of two mature trees and loss of amenity space.
- The glass feature is out of character, has no architectural merit and looms over buildings.
- The proposed development is unnecessary and the building to be demolished has architectural merit.
- The proposed roof extension is too large and should be reduced by two floors and the new building along Fountain Street takes no reference from neighbouring buildings and would draw attention to itself.
- Mullion design could have been similar to those on 49 Spring Gardens.
- Request that scaffolding, closures or partial closures of Concert Lane and construction vehicles do not compromise access arrangements in neighbouring buildings.
- Dust and noise during construction should be controlled.
- Scaffolding should be suitably screened.
- Piling should be carried out using silent piling system.
- Potential airborne asbestos risk to be established and mitigated.
- Construction programme is illegible.
- The proposal pays no relation to its neighbours and is too high. This would detrimentally affect amenity, the street scene and Victorian heritage.
- The Grade II* Listed Estate Exchange is one of the most important buildings in Fountain Street and Manchester. It is an outstanding work in the Venetian palazzo style of Thomas Worthington. The construction works would be damaging to the listed buildings and detrimentally affect access along Concert Lane.
- The existing modern building serves a useful purpose by making full use of the site, without constituting an over-development of it and contributes harmoniously to the street scene.

Consultees

Historic Buildings and Conservation Areas Panel –

The Panel were concerned that there had not been a full investigation into the retained elements of the listed building and it was not fully established whether there was any of the original structure or fabric behind the retained façade. This is a fundamental issue that needs further investigation before the application can be considered as the removal of further original fabric would cause greater harm.

The proposal is a generic standard scheme lacking identity with little regard to its context and doesn't represent a high quality or interesting architectural design.

The design is compromised and is neither respectful to the listed buildings, or a strong design response. The connection between the new and existing elements was significantly compromised and there should be a greater distinction between the elements. The new build should have its own identity contained within its own footprint and should not encroach into the footprint of the existing building. The junction between the grade II* listed Worthington building where the new element steps back at high level was noted as being weak.

The new elements would have an adverse impact, were top heavy and towered above the existing building and dominated the remaining façade as well as the surrounding area. The key views clearly demonstrated this. The Panel would like to see something more respectful.

The existing roofline and slated pitched roof contribute to the listed building and context of the surrounding roofscapes, and its removal would create a cardboard cut out effect out of the retained facade. The dormers would lose their visible connection and become robbed of their meaning. Additional supports which could look intrusive.

The Panel noted that the existing doorway was being brought back into use as an entrance which was welcomed but they raised concerns over its size and capacity.

Highway Services – No objections subject to conditions relating to Cycling, Travel Plan, and a CMP and Section 278 agreement for off site highway works.

Environmental Health – No objections and recommended conditions controlling hours of servicing / deliveries / operation, noise control, refuse storage and disposal, air quality and ground contamination.

Neighbourhood Team Leader (Arboriculture)

MCC Flood Risk Management – No objections subject to conditions controlling drainage, flooding and pollution.

Greater Manchester Police - Recommend a condition to reflect the physical security specifications set out in the Crime Impact Statement.

Historic England (North West) – The is in a highly sensitive area of the city centre close to a number of grade II* listed buildings and in the Upper King Street Conservation Area. They have strong concerns as the height and scale of the new

build would detrimentally affect the positive contribution that 50 Fountain Street makes to the conservation area. It would also have a negative effect on the significance of both the Former Midland Bank and the Former Estate Exchange, by detrimentally affecting the contribution made by their setting.

This is the direct result of the quantum of development proposed but is exacerbated by elements of the design. They recommend that the local planning authority has the applicant's viability assessment evaluated by a relevantly qualified professional, in order to ascertain whether its conclusions are robust.

Environment Agency - No objection in principle, subject to conditions relating to the submission of a remediation strategy to deal with the risks associated with contamination of the site and a verification report demonstrating the completion of works and the effectiveness of the remediation. Piling using penetrative methods should not be carried out other than with the written consent of the local planning authority.

Transport For Greater Manchester - No representations received

Greater Manchester Archaeological Advisory Service – No objections.

United Utilities Water PLC - No representations received

Greater Manchester Ecology Unit – No Objections

Issues

Relevant National Policy

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to apply. It aims to promote sustainable development. The Government states that sustainable development has an economic role, a social role and an environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan. Paragraphs 11 and 12 state that:

"For decision-taking this means: approving development That accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The proposed development is considered to be consistent with sections 6, 7, 8, 9, 11, 12, 14, 15 and 16 of the NPPF.

Local Planning Policy

Local Development Framework

The principal document is the Core Strategy adopted in July 2012, replacing significant elements of the Unitary Development Plan (UDP). It sets out the long term strategic planning policies for Manchester's future development. Applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The Core Strategy has Strategic Spatial Objectives that form the basis of its policies:

Spatial Principles – This site is highly accessible, close to good public transport links, and would thereby reduce the need to travel by private car.

Economy - The proposal would provide jobs during construction with permanent employment in the offices. It would support employment growth in the city centre.

Transport – The highly accessible location would reduce the need to travel by private car and make the most effective use of public transport.

Environment - The proposal would help to protect and enhance the City's built environment and ensure the sustainable use of natural resources, in order to: mitigate and adapt to climate change; improve air, water and land quality; improve recreational opportunities; so as to ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy SP1 Spatial Principles – The proposal would support economic growth and job opportunities in the city centre. It would provide offices in a highly sustainable area, improving access to jobs.

Policy CC1 Primary Economic Development Focus: City Centre and Fringe – The proposal could attract new business to the City Centre

Policy CC5 Transport – This is a highly sustainable location, close to transport nodes. The proposal would improve the environment for pedestrians and cyclists and encourage sustainable modes of transport. No car parking is provided with 12 existing spaces replaced by a 54 space cycle hub.

Policy CC6 City Centre High Density Development – The proposed density is higher than currently exists and the scale and massing would be appropriate.

Policy CC9 Design and Heritage – The proposal would contribute positively to the vitality of the area and enhance the character and distinctiveness of heritage assets including the Grade II Listed façade of 49 Spring Gardens. The current 1970's building does not contribute positively to the streetscape or built environment. The new building would re-instate back of pavement development consistent with principles of the Upper King Street Conservation area. The harm would be less than substantial and would be outweighed by the public benefits.

Policy CC10 A Place for Everyone – All floors are accessed by a lift and stairs, and the new build would provide level access. The layout is simple and clear and easy to use regardless of disability, age or gender.

Policy T1 Sustainable Transport – The proposal would encourage a modal shift to more sustainable alternatives. It would improve pedestrian routes and the pedestrian environment.

Policy T2 Accessible Areas of Opportunity and Need – The proposal would be accessible by all sustainable transport modes and would help to connect residents to jobs.

Policy EN3 Heritage –The impact of the proposal on heritage assets, including listed building,would be outweighed by public benefits.

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon Development – The proposal includes energy saving measures and carbon reduction options.

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies The proposal involves an improvement of 37% in terms of Part L and could reduce operational carbon by 95% by 2038 to just 7 tonnes per annum.

Policy EN8 Adaptation to Climate Change – The energy statement sets out how the building has been is adaptable to climate change and a green and blue infrastructure statement has regard to greening and water sources, with planting and a blue roof.

Policy EN9 Green Infrastructure – The development includes rooftop planting.

Policy EN14 Flood Risk – The site is not in an area at risk of flooding and the design would minimise surface water run-off.

EN15 Biodiversity and Geological Conservation – The development would provide ecological enhancements for different species.

Policy EN16 Air Quality - The proposal would be highly accessible by all forms of public transport and reduce reliance on cars.

Policy EN17 Water Quality - The proposal would not have an adverse impact on water quality. Surface water run-off and groundwater contamination would be minimised.

Policy EN18 Contaminated Land and Ground Stability - A desk study identifies possible risks arising from ground contamination. However, Phase 1 of the desk study submitted with this application has been assessed and agreed with the City Council's Environmental Health Officer. There is a requirement for a phase 2 study that will require more surveys and monitoring and this could be secured via a condition.

Policy EN19 Waste – The development would be consistent with the principles of the waste hierarchy and is accompanied by a Waste Management Strategy.

Policy DM1 - Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

- appropriate siting, layout, scale, form, massing, materials and detail;
- design for health;
- adequacy of internal accommodation and amenity space.

- impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- that development should have regard to the character of the surrounding area;
- effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- accessibility to buildings, neighbourhoods and sustainable transport modes;
- impact on safety, crime prevention and health;
- adequacy of internal accommodation, external amenity space, refuse storage and collection; and
- impact on biodiversity, landscape, archaeological or built heritage, green infrastructure and flood risk and drainage.

The application is considered in detail in relation to the above issues. The proposal is considered to be consistent with the following Core Strategy Policies SP1, CC1, CC5, CC6, CC7, CC8, CC9, CC10, T1, T2, EN1, EN2, EN3, EN4, EN6, EN8, EN9, EN14, EN15, EN16, EN17, EN18, EN19, EC1, EC8 and DM1 for the reasons set out below.

Saved UDP Policies

Whilst the Core Strategy has now been adopted, some UDP policies have been saved.

DC18.1 Conservation Areas – The proposal would enhance the character and appearance of Upper King Street Conservation Area and other nearby conservation areas. Any negative impacts on heritage assets would be outweighed by the public benefits of the scheme. This is discussed in more detail later in the report.

DC19.1 Listed Buildings – any harm to heritage assets would be less than substantial and be outweighed by the public benefits.

The proposal is considered to be consistent with saved UDP policies DC18.1, DC19.1 and DC20 for the reasons set out below.

Policy

NPPF Section 6 (Building a Strong, Competitive Economy) and Core Strategy policies SP1 (Spatial Principles), EC1 (Land for Employment and Economic Development), EC3 (The Regional Centre), CC1 (Primary Economic Development Focus), CC7 (Mixed Use Development) and CC8 (Change and Renewal) - The office would replace a building that no longer meets modern occupier requirements. The proposal would generate jobs in the construction and operational phase. This would be a high density development in a sustainable location. During the operational phase, the commercial space could support 340 direct FTEs. There would be a local labour agreement.

NPPF Section 9 (Promoting Sustainable Transport) and Core Strategy policies CC5 (Transport), T1 (Sustainable Transport) and T2 (Accessible Areas of Opportunity and Need) A Transport Statement explains that the proposal would be acceptable in

highways terms. An Interim Travel Plan would promote sustainable travel and includes an assessment of access over the wider area, the Travel Plan's objectives and details on the implementation. A 12 space basement car park would be replaced with cycle parking, showers, and lockers.

NPPF Sections 12 (Achieving Well Designed Places) and 16 (Conserving and Enhancing the Historic Environment), Core Strategy policies EN1 (Design Principles and Strategic Character Areas), EN2 (Tall Buildings), CC6 (City Centre High Density Development), CC9 (Design and Heritage), EN3 (Heritage) and saved UDP policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) - A Heritage Impact Assessment demonstrated that the proposals would result in adverse and beneficial heritage impacts. The interventions to original fabric would largely be beneficial, with some minor adverse impacts. It would have a moderate adverse impact on the setting of nearby listed buildings, which would result in less than substantial harm which would be outweighed by public benefits.

NPPF Section 15 (Conserving and enhancing the natural environment), Manchester Green and Blue Infrastructure Strategy 2015, Core Strategy policies EN9 (Green Infrastructure), EN15 (Biodiversity and Geological Conservation), EN16 (Air Quality), Policy EN17 (Water Quality), EN18 (Contaminated Land and Ground Stability) and EN19 (Waste) - The proposal would include a blue roof. Planting on the terrace levels would support biodiversity. An Air Quality Assessment that any air quality issues during construction and in operation can be mitigated. There is no evidence about the presence of any protected species on the site or nearby that would be affected. There would be no adverse effect on any statutory or non-statutory designated sites in the wider area and ecological enhancements are proposed.

A condition would require further site investigations following demolition. Any contamination is not expected to be unusual or insurmountable. A Waste Management Strategy details measures to minimise waste during construction and in operation. .

Core Strategy Policies CC7 (Mixed Use Development) and CC10 (A Place for Everyone) – The proposal would be an efficient, high-density, mixed-use development in a sustainable location.

Other Relevant City Council Documents

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city which will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city's liveability, sustainability and connectivity;
- Develop a post-2020 carbon reduction target informed by 2015s intergovernmental Paris meeting, using devolution to control more of our energy and transport;

- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience.

Development and regeneration in a progressive and equitable means creating and enabling jobs and growth in a smart and thoughtful manner. This should ensure that residents living in nearby areas and circumstances of disadvantage are connected to employment, skills and training opportunities, and given the support and empowerment necessary to make the most of them.

Manchester: A Certain Future (MACF) - The climate change action plan calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city. Manchester City Council (MCC) has committed to contribute to the delivery of the city's plan and set out its commitments in its Climate Change Delivery Plan.

Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the Manchester Climate Change Board (MCCB) to take forward work to engage partners in the city to address climate change. In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these ambitious new targets.

The Zero Carbon Framework - outlines the approach to be taken to reduce carbon emissions between 2020-2038. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus the development of a 'circular economy', in which sustainable and renewable materials are reused and recycled as much as possible.

Climate Change and Low Emissions Implementation Plan (2016-2020) -

This Implementation Plan is Greater Manchester's Whole Place Low Carbon Plan. It sets out the steps to be taken to become energy-efficient, and investment in our natural environment to respond to climate change and to improve quality of life. It builds upon existing work and sets out our priorities to 2020 and beyond. It includes actions to both address climate change and improve Greater Manchester's air quality. These have been developed in partnership with over 200 individuals and organisations as part of a wide ranging consultation.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. It seeks development of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones. For the reasons set out later in this report the proposal would be consistent with these principles and standards.

Powering Recovery: Manchester's Recovery and Investment Plan – This sets out Manchester's response to the COVID-19 pandemic to reinvigorate its economy, with plans to protect and create jobs, and support new business opportunities. It sets out how Manchester can play a leading role in the levelling-up agenda, with ambitious plans to build on recent investment in economic assets and infrastructure and accelerate the growth in high-productivity sectors including the Digital, Creative, Technology and Health Innovation Sectors alongside the well established financial and professional services sectors. This includes support for major job-generating investment with high-growth sectors, new-starts and scale-up. The office space would support the aim to secure a highly skilled and knowledge intensive workforce in the City. The reuse of the site would intensify the levels of economic activity at the site and align with the Plan's ambitions for zero carbon and climate resilient growth.

The Greater Manchester Strategy (2017) ("Our People, Our Place") – This was produced by the Greater Manchester Combined Authority (GMCA) and replaces the former "Stronger Together: Greater Manchester Strategy" published in 2009. It sets out a very clear vision for the City-Region, stating that Manchester will be: "A place where all children are given the best start in life and young people grow up inspired to exceed expectations. A place where people are proud to live, with a decent home, a fulfilling job, and stress-free journeys the norm. But if you need a helping hand you'll get it. A place of ideas and invention, with a modern and productive economy that draws in investment, visitors and talent. A place where people live healthy lives and older people are valued. A place at the forefront of action on climate change with clean air and a flourishing natural environment. A place where all voices are heard and where, working together, we can shape our future."

Delivery of new office and commercial space would create a substantial amount of employment from the supply chain and in direct job creation through new commercial office floorspace. The new offices would contribute directly to creating an environment that attracts investment into local and regional centres within Greater Manchester and in Manchester, which is seen as the heart of the region.

Manchester City Centre Strategic Plan - The Strategic Plan 2015-2018 updates the 2009-2012 plan and seeks to shape the activity that will ensure the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the North of England. It sets out the strategic action required to work towards achieving this over the period of the plan, updates the vision for the City Centre within the current economic and strategic context, outlines the direction of travel and key priorities over the next few years in each of the City Centre neighbourhoods, and describes the partnerships in place to deliver those priorities.

Stronger Together: Greater Manchester Strategy 2016-2025 - This is the sustainable community strategy for the Greater Manchester City Region. The Manchester Strategy 2016-25 also identifies a clear vision for Manchester's future, where all residents can access and benefit from the opportunities created by economic growth. Over a thirty year programme of transformation, Manchester has become recognised as one of Europe's most exciting and dynamic cities. It sets out a vision for Greater Manchester where by 2020, the City Region will have pioneered a new model for

sustainable economic growth based around a more connected, talented and greener City Region and a high quality of life. All its residents are able to contribute to and benefit from sustained prosperity. The proposed office accommodation would support and align with the overarching programmes being promoted by the City Region via the GM Strategy.

Manchester Joint Health & Wellbeing Strategy (2016) - is the city's overarching plan for reducing health inequalities and improving health outcomes for Manchester residents. It sets out a ten year vision for health and wellbeing and the strategic priorities which have been identified to support this vision. The vision is that in ten years the people of Manchester will be living longer, be healthier and have more fulfilled lives with a genuine shift in the focus of services towards prevention of problems, intervening early to prevent existing problems getting worse and transforming the city's community based care system by integrating health and social care.

Manchester's Great Outdoors (A green and blue infrastructure strategy and action plan for Manchester) - Highlights that Manchester needs to demonstrate that it can be both a green city and a growing city. It emphasises a need to focus on Open Spaces, Linkages and Networks of "urban green".

Conservation Area Declarations

Upper King Street Conservation Area

The Site is located within the Upper King Street Conservation Area. The overarching historical character of the area, which was Manchester's original financial district, is best reflected by key buildings such as the Former Midland Bank to the west of the Site and the collection of bank buildings to the north west of Concert Lane. As is commonplace with city centre Conservation Areas, the architectural character and materiality is varied. This is primarily due to the continuous cycles of change and redevelopment, which defines the commercially focussed nature of town centres.

This area has been designated due to the high architectural interest of several of the buildings within the area and clear grouping of buildings that were borne out of a commercial growth of the city during the mid-18th century through to the early 20th century.

The maintained character includes a retained gridline street pattern, with a relatively tight urban grain. 50 Fountain Street is one of the few buildings stepped back from the pavement line due to a discontinued plan to widen the street in the 1970s. The roads are generally narrow, with several being only a single lane width and are therefore not heavily used by motorised traffic.

The articulation of junctions and corners is often expressed by the architectural treatment of the buildings, with either canted elevations displaying grand entrances or impressive rooflines. There is a rich variety of architectural styles within the area ranging from the historic 19th century buildings through to those constructed in the late 20th century (e.g. Belvedere and 55 Fountain Street) and the last few years (e.g. 11 York Street).

There are 16 Grade II and II* Listed Buildings within the Study Area, including the Site, identified within the submitted Heritage Statement prepared by Stephen Levrant Heritage Architecture (SLHA). Notably, the Grade II* Exchange House building adjoins the Site to the north-east along Fountain Street and the Grade II* Former Midland Bank is located to the west of the Site.

Legislative requirements

Section 66 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects a listed building or its setting, 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.

S72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

S149 (Public Sector Equality Duty) of the Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is among the protected characteristics.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Environmental Impact Assessment – The applicant has formally engaged with Manchester City Council via a request for a formal Screening Opinion from the Local Planning Authority with a letter titled ‘Proposed for partial demolition and redevelopment of 49 Spring Gardens and 50 Fountain Street, Manchester – Town and Country Planning (Environmental Impact Assessment) England Regulations 2017 Request for a Screening Opinion’.

This was to confirm from Manchester City Council (MCC) that proposed forthcoming application for planning permission and listed building consent, as set out in the letter, either independently or cumulatively, does not meet the tests of the Schedules 1, 2 and or 3 of the Regulations and therefore an EIA does not need to be included as part of the submission.

The letter provides information about the proposals, background and baseline information to support the conclusions of the letter and this confirms that the development would not result in any potentially significant effects that could otherwise be mitigated to non-significant levels.

A comprehensive assessment under Schedule 3 of the Regulations has been carried out as part of this letter and this is reinforced by the information contained in the rest of the technical appendices submitted with the letter.

On this basis, it was confirmed that the City Council, as local planning authority, agrees with the conclusions of the letter, and hereby confirms that the Applicant will not need to prepare and submit an EIA with the forthcoming application detailed in the letter dated 10th August 2021.

Principle of the Proposed Uses and the Scheme's Contribution to Regeneration

Regeneration is an important consideration in terms of evaluating this proposal. The City Centre is the primary economic driver in the City Region and is crucial to its economic success. The City Centre must continue to meet occupier requirements for new workspace and new working environments in order to improve its economic performance. The commercial core is a priority location to underpin the next phase of growth of the City Centre economy.

A key regeneration objective is to consolidate the core as a major office destination. Major investment has continued in the core over the past 15 years with new developments and the refurbishment of many buildings, including listed buildings and buildings in conservation areas. This proposal would retain and incorporate a listed façade and introduce a modern building at back of pavement line. The accommodation would be flexible and adaptable and could be occupied by a single end-user or multiple tenancies and could respond positively to the operational needs of occupiers looking for flexible space.

The Manchester's office market continues to perform robustly with further rental growth predicted. The proposal would generate around 391 full time equivalent (FTE) construction jobs. Once fully occupied the development is expected to accommodate 340 FTE jobs generating GVA worth almost £35m per year. The proposal would generate business rates of around £8m over the first ten years of operation.

The development would be fully compatible with existing and proposed surrounding land uses and would consolidate the commercial core. It would revitalise Fountain Street and use a prime employment site efficiently ensuring that a strong supply of modern office accommodation. The development would be consistent with the objectives of the City Centre Strategic Plan and would complement and build upon Manchester City Council's current and planned regeneration initiatives. As such, it would be consistent with the City Council's current and planned regeneration initiatives post-Covid and with Sections 6 and 7 of the NPPF and Core Strategy Policies SO1, SO2, SP1, EC1, CC1, CC4, CC7, CC8, CC10, EN1 and DM1.

The proposed use of the site as offices and alternative uses considered

Para 14 of the NPPG provides guidance on the optimum viable use of heritage assets. The proposal represents the site's optimum viable use, allowing it to contribute to the continued growth, evolution and success of the area and the City Centre as the economic core of the Region.

A number of alternative uses were considered including hotel, residential and retail / leisure space. Each would require wholesale changes to the Listed Building, either through comprehensive demolition or significant alteration, and may not contribute to the character of the Conservation Area in the same way. The only solution which would result in a high quality scheme, would be residential and this is not a typical city centre residential location. An office was considered the most appropriate and optimum viable use for the building to restore, reveal and enhance areas of high heritage significance.

A Viability Report has been submitted in support of the proposals, including its height and scale. It assessed a number of options to confirm which were financially viable. This concluded that this proposal is the only viable scheme that would protect the key characteristics of the site.

An independent review has confirmed that all other options save for that proposed would generate a loss or not be viable. It accepts that the proposal is the most viable development out of 8 options tested and the scale is necessary to bring development forward.

The existing building would be difficult to adapt in its current form and the 1970s element offers no heritage benefits. Office occupiers now require increasingly sustainable, smart buildings that make use of natural ventilation; larger floorplates; create a greater sense of space from high ceilings and offer open plan, column free floorplates. They demand outdoor spaces such as terraces and winter gardens.

The existing space cannot deliver these requirements. A variety of refurbishment options have been considered and, notwithstanding issues of viability, they have been discounted because of the underlying layout and form of the existing building which creates substantial challenges in creating a next generation office workspace to suit the modern occupier.

The building has a split level floorplate, low floor to ceiling heights, poorly positioned lift core, columns within the floorplate, natural light deficiencies and no amenity spaces for tenants. Based on these constraints, it would not be possible to guarantee the occupation of the building the longer term.

Height, scale, mass and density

The scheme would use the site efficiently to support the city's continued economic growth. The new build would re-instate the historic building line and respond positively to the area. The set back would provide a degree of separation between the retained building and new build and reduce the impact on key views of the heritage asset. The glazed façade would be distinctively modern. The level 7 pavilion would not be visible from street level through the set back and tight knit urban grid.

Design, appearance and architectural quality

Siting the building at back of pavement would reinstate the historic building line. There would be a shadow-gap between the new build to reveal the cornice and chimney on the corner of this Grade II* Estate Exchange. The proposal relates to the stringcourse detail on the Estate Exchange and 49 Spring Gardens.

The new build materials would complement the Listed facade and articulate the elevations and volumes. The new build would complement the design quality in the area, supporting regeneration and employment growth. Its modern appearance enables the form of the retained façade to be appreciated.

Relationship to Context and Impacts on Heritage Assets and Historic Context

The effect of the proposal on key views, listed buildings, conservation areas, scheduled Ancient Monuments, archaeology and open spaces has been considered. Section 16 of the NPPF establishes the criteria by which planning applications involving heritage assets should be assessed and determined. It identifies that Local Planning Authorities should require applications to describe the significance of any heritage assets in a level of detail that is proportionate to the asset's importance, sufficient to understand the potential impact of the proposals on their significance. In determining applications, the following considerations should be taken into account: The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; The desirability of new development making a positive contribution to local character and distinctiveness; and Opportunities to draw on the contribution made by the historic environment to the character of a place.

The focus of the Government's planning policy guidance is to ensure that the desirability of sustaining and enhancing the significance of heritage assets is taken into account and that they are put to viable use, consistent with their conservation (NPPF paragraph 185). The fundamental design objective is to ensure that the impact on heritage assets is demonstrably beneficial, minimising negative impact on significance. Development must be justified by clear and convincing evidence of the impact. Paragraph 193 of the NPPF advises local planning authorities that 'When considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether the harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Where a proposal would lead to less than substantial harm it should be weighed against the public benefits of the proposal.

Nine views were agreed with the Council and Historic England. These have a baseline value in heritage terms where the proposal can be seen and where there are sensitive / key viewpoints which test whether the proposal would be visible.

View 1 is from the corner of Fountain Street and Spring Gardens. The sandstone façade of the Grade II listed 49 Spring Gardens dominates the foreground, at a prominent corner plot. The view shows the architectural quality of the and façade and its original features such as string coursing, prominent chimneys and dormers and the original double timber door with pink granite surround. This view does not best represent how the building is experienced at street level, as the mansard roof is much less visible than depicted.

The building was extended in the 1970s, creating a recessed extension to Fountain Street, which exposes the blind elevation to the Grade II* Estate Exchange. The extension is largely eclipsed and forms a neutral architectural component.

The surrounding character is defined by buildings of a comparable scale and materiality, the collection of Grade II buildings eclipsed from view were constructed around the same time as 49 Spring Gardens. The gothic buildings around the area convey a coherent sense of place, historic interest, and architectural quality.

The view is taken from within the historic financial core of the Upper King Street Conservation Area, which developed considerably towards the end of the 19th century. Its character and appearance is defined by the high quality of its built form, which utilises robust and imposing architecture to reinforce the wealth, importance and stability of the financial institutions which historically dominated the area.



View 1 – Existing (Spring Gardens / Fountain Street)

The contemporary extension to the Grade II listed building is highly visible, set back behind the sandstone dormer roofline. The extension would change the character of the townscape and the appreciation of the listed building considerably. Its is set back to break up its massing and reduce its apparent scale. This does reduce the impact on the dormer roofline but it would have a considerably intrusive impact on the ability to understand and appreciate the architectural interest of the Grade II listed building as a late-19th century warehouse / office.

The glazed extension relates to the curved form of the existing façade with a modern approach and avoiding pastiche. The floor levels and vertical ventilation panels reflect the sandstone coursing and mullion of the original façade.

The extension would infill an underutilised gap at Fountain Street and reinstate the historic street wall, which was once occupied by 19th century warehouses. This would impair clear views of the blind elevation to the Grade II* Estate Exchange, and change the view considerably but this elevation was not designed to be seen. The proposal has been recessed at its junction with the Grade II* listed building, to ensure principal features such as the protruding chimney and cornice will remain physically unaffected and fully appreciable.

The proposals would have an overall moderate adverse impact. The design seeks to reactivate the original entrance and seeks to align the floor levels of the new build with the 19th century façade. This helps to tie the façade and new build together.

The height and scale of the new would change the view considerably and have a moderate adverse visual impact on the historic character and appearance of the Upper King Street Conservation Area and listed buildings in view 1.



View 1 – Proposed (Spring Gardens / Fountain Street)

View 2 50 Fountain Street is visible in the middle right and is a recessed, just beyond the Grade II* listed Estate Exchange. The view illustrates the alterations made to 49 Spring Gardens, whose façade is the only element retained of the original building. The 1970s recessed, extension completely changed the character and historic plan form of the streetscape.

The view shows the exceptional architectural interest of the Grade II* listed Estate Exchange whose significance derives from its historical associations and architectural detailing including prominent cornices, corner chimneys and an attractive shell canopy to the main entrance. The architectural detailing on each floor shows the phases of alteration made to the original 1852 building, which was extended in 1858.

The modern buildings in the foreground are larger and show how the character and materiality of Fountain Street is more contemporary than Spring Gardens. York House to the left is 10 storeys and reflects the change in scale in areas of the city in the late-20th century.



View 2 – Existing (Fountain Street)

The new building would be viewed in conjunction with the Grade II* Estate Exchange. A recessed bay which is not visible would provide some breathing space between the listed building and the new development and reduce the overall impact on its setting and safeguard significant fabric components such as the protruding cornice and chimney. .

The dark grey frames and symmetrical arrangement of glazed panels to the curtain wall to Fountain Street provides a subtle contrast to the bright, red brick façade of the Grade II* Estate Exchange. The stepped design to Fountain Street ensures the fabric and intricate bays of the adjacent listed building remain appreciable.

The new build would re-establish the historic pavement line and provide active frontages to Fountain Street. The varied architectural character and mixed age of built form along the street, including York House to the left of the view, mean the streetscape can accommodate a new, contemporary element.

The proposed height and massing would dominate the adjacent listed building and the proposal would have a minor adverse impact on the heritage assets in view 2.



View 2 – Proposed (Fountain Street)

View 3 has extensive views of Spring Gardens and key heritage assets which define the special character and appearance of the Upper King Street Conservation Area. The Former Midland Bank (Grade II*) forms one of the key landmarks denoted by its eight, architectural grandeur, and scale.

The sandstone façade fronting Spring Gardens can be seen at the Fountain Street junction. The view illustrates the architectural significance of the building, which is conveyed through the sandstone coursing, curved returns, and prominent dormer roofline. The altered slate mansard roof visibly ensures the protruding chimneys and dormers remain fully appreciable from short to long range views.

The Grade II* listed Former Midland Bank terminates the view, defining the corner of Spring Gardens and King Street. The building was constructed in the early 1930s by Edwin Lutyens. Its architectural quality and form is exceptional with its dominant scale and contrasting use of materials, designed to surpass the various bank buildings in the immediate area.

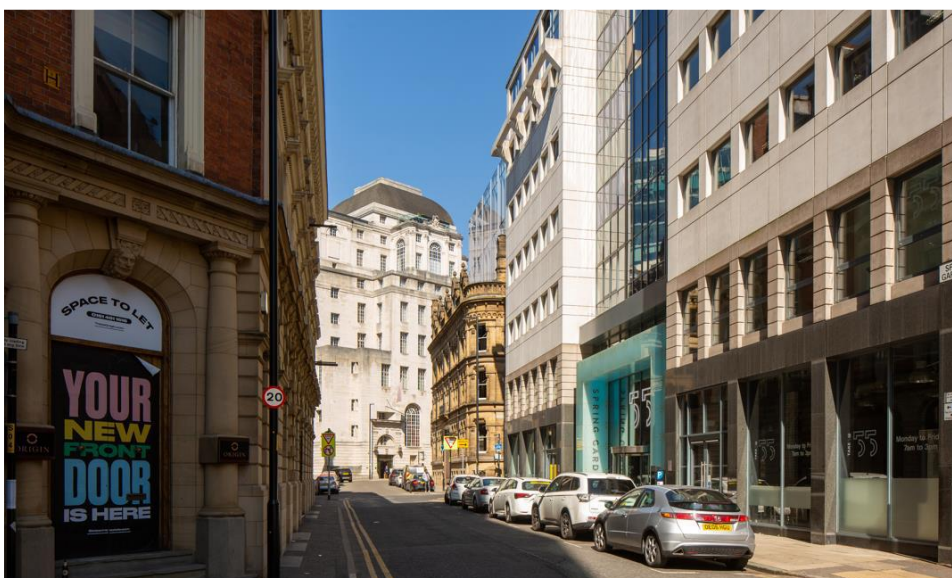
Lutyens' bank was designed to be a landmark, denoting a sense of financial security with its fortress-like appearance, which was especially pertinent during the inter-war period. This is a key view of the Grade II* listed building, showing its impressive scale, form, and materiality in the wider townscape. The Grade II* bank is one of the largest historic buildings of the Upper King Street Conservation Area and makes a distinctly positive contribution to its character and appearance.



View 3 – Existing (Spring Gardens toward 100 King Street)

The extension causes considerable visual and physical change to the Grade II building and to the settings of listed buildings in the immediate area. The extension will alter kinetic views of the Former Midland Bank when travelling east to west along Charlotte Street towards Spring Gardens to a discernible extent.

This would result in a considerable intrusion on the architectural and historic interest of the heritage assets in the view. The extension has been set back to ensure the significant dormer roofline of the Grade II listed building remains fully appreciable from short-to-mid range views. Its reflective and transparent appearance further mitigates its apparent competitive scale, which relates to the contemporary development to the right. The height and massing would be a dominant element which is demonstrably competitive in scale to that of the adjacent Grade II* listed building and the proposal would have a moderate adverse impact on the heritage assets in view 3.



View 3 – Proposed (Spring Gardens toward 100 King Street)

View 4 provides complete views of the Grade II listed building at 49 Spring Gardens and its return onto Concert Lane and shows its immediate setting which is demonstrably enhanced by the adjacent collection of Grade II sandstone buildings of similar architectural merit.

The collection of former Insurance Company Offices was constructed in the late-19th century following extensive road widening works to Spring Gardens. This collection of buildings subsequently forms a coherent character and appearance which defines this pinnacle point in the areas history.

The listed buildings complement one another in scale, form and materials, yet display individuality with respect to nuances in architectural rhythm and detailing.

Buildings of a more contemporary age and character form the backdrop emulating the mixed character and scale of the immediate area around the site which is synonymous within an urban city centre setting.



View 4 – Existing (from Spring Gardens)

The view shows the recessed design and scale of the extension to the Grade II listed building. The extension would accommodate a viable use for the building and seeks to align the floor levels of the new build with the 19th century façade. This would better tie the retained façade and new build together. The slate mansard roof and dormers would be removed to create an open terrace, which would meet modern office requirements and allow the dormer roofline to be fully understood and appreciated at street level. Replicas of the original window design to the dormers is to be installed, enhancing the ability to understand and appreciate the original

appearance of the dormers as a key component of the listed building for the first time in decades.

The height would result in considerable visual change and a complete alteration of historic character, both to the Grade II listed building, to the settings of listed buildings in the immediate environs around the site and to the character and appearance of the conservation area.

The use of sandstone and slate is synonymous with the collection of listed buildings which define this part of the Upper King Street Conservation Area. Whilst the late-20th century mansard roof to 49 Spring Gardens is not original, its neutral contribution to the listed building ensures that the building is understood and appreciated as a late-19th century building.

It is therefore considered that the proposed development will incur a **moderate adverse impact** on the heritage assets in view 4.



View 4 – Proposed (from Spring Gardens)

View 5 (overleaf) shows the existing building frames the view to the right, with the rear of the collection of Grade II listed at Spring Gardens to the left. The red brick, 1970s extension is glimpsed forming a consistent street wall which terminates at the Grade II* Estate Exchange.

The view demonstrates the enclosed nature of the backstreet, which is a service access. The enclosed character is of a subsidiary backstreet. The view is from the Upper King Street Conservation Area and the immediate setting of a number of Grade II listed buildings but is not the best place to understand and appreciate their special character or appearance. The elevations and returns onto Concert Lane are thus less sensitive to change.

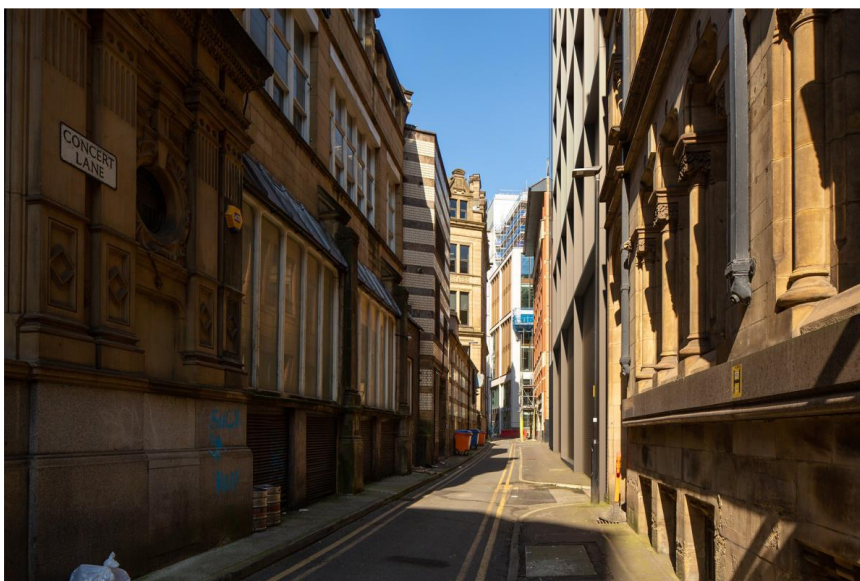


View 5 – Existing (Concert Lane)

The proposal would replace the late-20th century extension with a contemporary, new build element with modern office facilities such as bike stores and level access. The archway set within the return of the sandstone façade would be opened up to provide access and reinstate an access point which was historically open. This would be a beneficial direct and indirect heritage impact.

Whilst Concert Lane is a subsidiary backstreet, it is one of the most historic thoroughfares of the Conservation Area. Special attention to enhancing this street by using complementary proportions and tonality which sits comfortably alongside the sandstone and glazed brick consequently enlivens the narrow streetscape and creates a more pedestrian friendly environment.

It is therefore considered that the proposed development will incur a **minor beneficial impact** on the heritage assets in view 5.



View 5 – Proposed (Concert Lane)

Viewpoint 6 The topography of King Street slopes up from Cross Street to Spring Gardens, which forms its highest point. The collection of Grade II listed former bank and insurance buildings terminates the view, forming a prominent historic viewpoint in Upper King Street Conservation Area. Whilst the roofline is broken to a minor extent by City Tower (1967), this does not detract from the overall ability to understand and appreciate the special interest of the designated heritage assets.

King Street is flanked by buildings of architectural and historic merit with the Grade II* Former Midland Bank seen holding the corner of Spring Gardens to the right with the Grade II* Former Refuge building opposite. This collective grouping of former bank and insurance building emulate the historic grandeur and significance of this area as Manchester's financial district during the late-19th – early 20th century.

The view shows the special architectural and historic interest of the listed buildings and their historic setting. The coherent and largely complete setting of the designated heritage assets make a positive contribution to the character and appearance of the Upper King Street Conservation Area, and is thus, markedly sensitive to change.



View 6 – King Street looking east (Existing)

The roof extension would be visible above the established roofline of the Grade II listed Former Barclays Bank at 43 and 45 Spring Gardens, which terminate views along Upper King Street. The kinetic views along King Street are intrinsically significant to the historic character and appearance of the Upper King Street Conservation Area. The considerable number of listed buildings in the view denote the area's significance as Manchester's historic financial district, complete with an

eclectic mix of architectural styles and materials which allude to the areas continued affluence throughout the 19th and 20th centuries.

The proposal would reflect the materiality of the adjacent Grade II* listed Former Midland Bank, the tonality of the extension aims to reflect the Portland stone which is prevalent along King Street.

The Grade II* listed buildings in the foreground (Former Midland Bank; Former Refuge Building) on either side of the street are demonstrably robust in both architectural quality and scale to accommodate the magnitude of change caused by the proposal. However, the ability to appreciate the intricate curved roofline to the Grade II listed former Barclay's bank building would be eroded to an appreciable degree. Whilst the bulk and massing of City Tower is visible in the far distance, the proposal is considerably closer to the Grade II listed building and would have greater impact from short-to-mid range views within its immediate setting. It is therefore considered that the proposal would have an overall minor-to-moderate adverse impact on the heritage assets in the view 6.



View 6 – King Street looking east (Proposed)

View 7 is further east along King Street with long range views of King Street and the subject site is not visible. A considerable number of designated heritage assets King Street including the collection of Grade II listed 41, 43-45 and 47 Spring Gardens, Ship House, (Grade II), Pall Mall Court (Grade II), Former Refuge Building (Grade II*), Former Midland Bank (Grade II*) and the Bank of England Trustee Savings Bank (Grade I). All of which form the principal focus of the Upper King Street Conservation Area.

These listed buildings have a mix of architectural styles, materiality and age, and collectively convey a sense of place through their historic associations as buildings of commerce, financial stability, and grandeur.

City Tower can be seen to the far distance, above the established roofline of the Grade II Former Barclay's Bank which terminate views to upper King Street. This has a negative impact on the view as a whole, but many of the listed buildings along King Street are robust enough in scale and form to withstand this impact. The roofline of the Former Barclay's Bank is further punctuated by York House, which is situated to the north end of Fountain Street and is 10 storeys above a podium. This reflects the considerable change in scale in areas of the city in the late-20th century.



View 7 – King Street and Cross Street looking east (Existing)

The new building at 50 Fountain Street would be glimpsed in the middle distance, impinging above the established roofline of the Former Barclay's Bank building (Grade II) which terminates the view. It would be of an equal height and scale to York House, which can be seen above the roofline of the Listed Building.

The kinetic views along King Street are intrinsically significant to the historic character and appearance of the Upper King Street Conservation Area. The listed buildings denote the area's significance as Manchester's historic financial district, with an eclectic mix of architectural styles and materials which allude to the areas continued affluence throughout the 19th and 20th centuries.

The grand height and scale of these buildings ensure their significance remains fully readable and appreciable, despite the introduction of the new element in the view and its impact would be **minor adverse** in view 7.



View 7 – King Street and Cross Street looking east (Proposed)

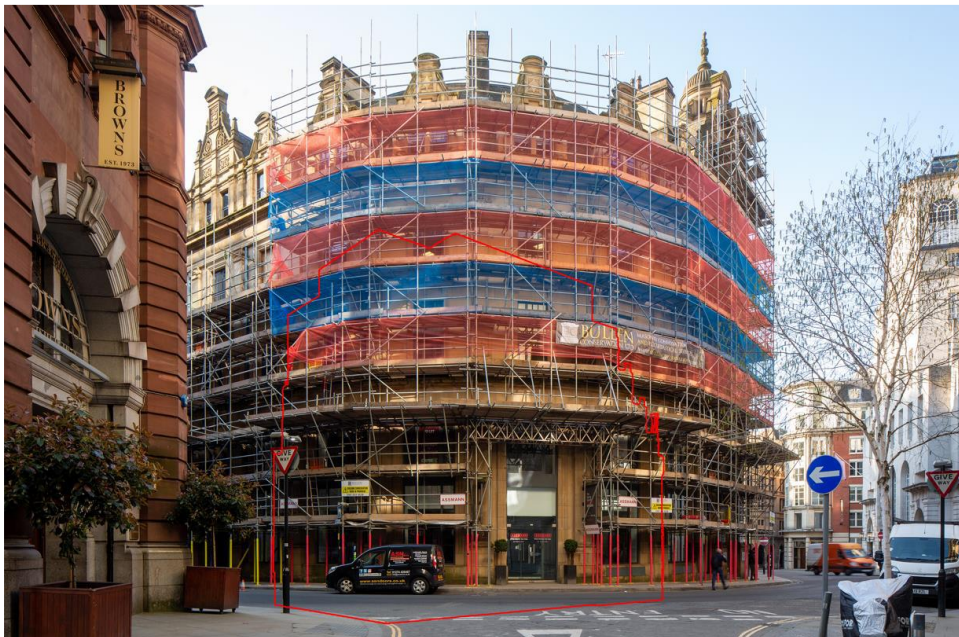
View 8 The site at 50 Fountain Street is not visible. The foreground is dominated by the Grade II listed former insurance building at 41 Spring Gardens. The grand Portland stone façade of the Grade II* Former Midland Bank is glimpsed to the right, with the equally grand Former National Westminster Bank (also Grade II*), to the left.

The scale and architectural quality of these buildings define the special character and appearance of the Upper King Street Conservation Area and make a positive contribution to the ability to appreciate their historic settings.



View 8 – Brown Street and Spring Gardens (Existing)

The wireline indicates the proposal would not be seen and would have a neutral impact on the heritage assets in view 8.



View 8 – Brown Street and Spring Gardens (Proposed)

View 9 (see overleaf), the existing building is glimpsed in the far distance and is largely indistinguishable from Princess Street. It makes a neutral contribution to the character and appearance of St Peters Square Conservation Area.

The view illustrates the visibility of the site in the context of the wider townscape, allowing for extensive views and vistas into the Upper King Street Conservation Area and the mixed architectural character of Fountain Street.

The principal listed buildings include 65-71, Princess Street (Grade II); 65-71, Princess Street (Grade II); and the Site at 49 Spring Gardens (Grade II). The domestic height and scale of the 18th century townhouses in the foreground contrast with the contemporary office buildings behind, illustrating the mixed character and scale of buildings within the urban city centre environment.



View 9 – Town Hall looking up Fountain Street (Existing)

The glazed upper-floors and re-establishment of the pavement line onto Fountain Street can be seen. The assertive contribution of the building to Fountain Street will be clearly read from this distance, although the scale and mass would be tempered in part by its stepped architectural expression and glazed materiality. The distance from the site would mean that it would be an incidental contributor to the background of the streetscape and would have a largely neutral contribution from the St Peter's Square Conservation Area and the designated heritage assets in the foreground. The impact would be overall **neutral impact** on the heritage assets in view 9.



View 9 – Town Hall looking up Fountain Street (Proposed)

The visual impact assessment identified that the proposals would result in:

- five instances of **moderate adverse** impact;
- two of **moderate-to-minor** adverse impact;
- one of **minor adverse** impact;
- two of **negligible adverse** impact and;
- seven instances of **neutral** impact upon the settings of designated heritage assets around the site.

The impact on the Grade II* Estate Exchange has been reduced by the creation of a recess to enable significant elements such as the protruding cornice and chimney to remain unaffected and readable. Nonetheless the scale would harm its setting.

The impact on the Grade II listed 49 Spring Gardens has been mitigated in part through detailed design measures including, the realignment of the floor levels and reviving the original door as its the principal entrance. The scale of the proposal would cause some adverse impacts but there are beneficial impacts such as the quality of the design and the enhancement to the public realm, including Concert Lane, as the surrounding heritage assets would benefit from a thriving environment.

The glazed extension has been informed by the curved returns of the late 19th century façade. The original design of the dormer windows have been re-introduced and the original entrance reinstated at Spring Gardens. this would improve the overall accessibility and reconnect the original part of the building with Spring Gardens and have a positive impact on the conservation area.

The extension is stepped back from the dormers to allow breathing room for the significant former roofline. This would reduce the visual impact on views along Charlotte Street looking west towards the Former Midland Bank.

The extension would reinstate the historic building line and retain the significant fabric components of the listed building.

These works would secure a long term, sustainable and viable use for the retained façade of 49 Spring Gardens. Alternative use options were considered and office use would have the least harmful interventions at the listed building.

Careful consideration must be given to the direct and indirect impact of a proposal on heritage assets. Any potential negative impact must be demonstrably outweighed by public benefits, as defined by the NPPF (Para 196).

Public Benefits

Despite the moderate adverse impact of the development in terms of visual impact, the development would deliver substantial public benefits, including:

- positively contribute to accelerated Post-Covid economic recovery and subsequent growth in the region through associated enhanced productivity. The ability to provide workspace of the proposed size and scale in such a central location is limited, particularly in the context of recent market

intelligence that identifies a shortfall in Grade 'A' office accommodation within Manchester City Centre.

- Delivery of a substantial commercial scheme would help to modernise the city centre's economic infrastructure, contribute to and take advantage of agglomeration forces, providing business accommodation for the key growth sectors which will transform the northern economy, attracted by connectivity, a deep labour pool and economic opportunity.
- deepen the labour market pool, increase the number of higher skilled and higher paid jobs, based on high productivity employment, make a significant contribution to accelerated economic growth and the re-balancing of the national economy, increasing Greater Manchester's share of high value-added service jobs.
- generate 391 direct FTE jobs over the duration of the construction period and through direct investment. During the operational phase, the commercial space will directly support 340 FTE jobs. This includes more graduate level jobs in the conurbation's economy, with companies able to provide more apprenticeships, work placements, and internships, taking advantage of the sectoral makeup of the new employment and industry recruitment, and training approaches.
- The office and retail jobs would generate GVA worth over £35m per year, with wages totalling £14.5m, a considerable proportion of which would be spent locally. Each year, £2.94m of national insurance and income tax will be contributed to the public purse, while business rates could generate £800,000¹ a year, £8m over ten years of operation.
- The proposals would secure the long-term viable use of 49 Spring Gardens, breathing new life into this historic façade, which makes a positive contribution to the Conservation Area and local townscape.
- The design would make a beneficial contribution to vitality and vibrancy of this part of the city centre.
- Enhancements to public realm and increase in active frontage would enhance safety and security. The increase in people using the area would provide natural surveillance.
- Once operational, the development would deliver a 33.9% improvement on Building Regulations with regards to carbon emissions, rising to almost 95% reduction in operational carbon by 2038, in-line with the City's NZC agenda.
- The scale and range of benefits of the proposal, its contribution to strategic and economic objectives in particular, provides the city with a high impact proposal to support economic recovery and long-term growth.

Any harm to the significance of heritage assets must be weighed against the potential public benefits. In summary, the proposal would deliver short and long-term economic, environmental and social benefits that are significant at the local and regional scale, contribute positively to surrounding streets, enhance the City's built environment and contribute to the strategic objectives of the City Council, the Greater Manchester Region and the Northern Powerhouse agenda. The

¹ Based on current business rates for the site.

development would therefore be in accordance with the requirements of paragraph 192 (NPPF, 2019).

On balance there is policy support for the proposals. There would be a degree of less than substantial harm but the proposal represents sustainable development that would deliver many public benefits. It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the listed building itself, the setting of the adjacent listed buildings and the character of the conservation area as required by virtue of S66 and S72 of the Listed Buildings Act within the context of the above, the overall impact of the proposed development including the impact on heritage assets would meet the tests set out in paragraphs 193, 196 and 197 of the NPPF and that the harm is outweighed by the benefits of the development.

Viability

A detailed viability appraisal demonstrates that the proposed quantum of floorspace is the minimum necessary and the proposal represents the optimum viable use for the site. Demolition and retention of the significant element of the façade of 49 Spring Gardens is the only sensitive and economically viable option. The retention of the façade and side returns would be logistically and technically challenging and generates abnormal construction costs. The design reflects the importance of the site and its heritage context. Tenants require a high standard of internal fit-out and facilities and the project require investment of circa £35-40 million.

Sustainable Design and Construction

The scheme includes low and zero carbon technologies in line with the energy hierarchy, through a fabric led energy strategy and efficient servicing. The development has no parking and would include cycle parking and associated facilities. The site is highly sustainable and accessible via all transport modes.

The development would be designed and specified in accordance with the principles of the energy hierarchy in line with Policy EN4 and would achieve high levels of insulation in its fabric and high specification energy efficiency measures.

Credibility of the Design

The design team recognises the high profile nature of the site and the requirement for design quality and architectural excellence. A significant amount of time has been spent developing the proposal to ensure that it can be delivered.

The materials are appropriate and the proposals are achievable and deliverable. The final proposals have been costed and tested for viability.

Effect on the Local Environment

This examines the impact of the scheme on nearby and adjoining building occupants and includes the consideration of issues such as impact on privacy, daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements, air quality and the environment and amenity of those in the vicinity of the building.

Provision of a well-designed inclusive environment

The proposal incorporates inclusive design principles to create a safe and secure environment which respond to the needs of all users. The main entrance to both buildings would be level. The cycle hub would have level access to a lift to the cycle storage and showers. Any retail units would have level access and on street parking bays would be retained.

Flood Risk

The site is in Flood Zone 1 with a low risk of flooding and flood risk implications are not considered as part of the Drainage Strategy. The Drainage Strategy states that the blue roof would be used before connecting into a surface water drains. Flows would be restricted through attenuation to reduce surface water runoff.

Due to the constrained nature of the site, it is difficult to implement rainwater harvesting or any other SUDS attenuation technique. There would be no residual flood related risks after the development has been completed and the proposal would fully accord with Core Strategy Policy EN14 and provisions of the NPPF.

Waste management and servicing

The Waste Management Strategy complies with MCC's waste standards, in terms of storage, recycling and management. It provides details of the collection arrangements and measures to reduce waste through dewatering, compaction, composting and sustainable supply chains for packaging and resources.

Crime and Security

Recommendations from a Crime Impact Statement produced by Greater Manchester Police Design for Security would be secured by a condition.

Biodiversity, ecological enhancements and blue and green infrastructure

A Phase 1 Habitat Survey and a Bat Survey highlighted no features of significant nature conservation interest. The plant species listed are common and typical of early successional communities of urban sites. Bat activity in the immediate vicinity is low and restricted to commuting and occasional foraging by a small number of common pipistrelle bats. No bats were detected to emerge from the site. If bats are found during works it should stop immediately, and advice sought from a professional bat ecologist.

The study found there is limited potential for urban bird species to nest on site or on street trees. Demolition and clearance works should avoid the bird nesting season or employ an appropriate Method Statement to ensure nesting birds are not harmed if site clearance is within the March to August period.

Construction Management

Measures would be put in place to minimise the impact of the development on neighbours such as dust suppression, minimising stock piling and use of screenings to cover materials. Provided appropriate management measures are put in place, the

impacts of construction management on surrounding residents and the highway network could be mitigated to be minimal. A condition regarding submission of a construction management plan prior to development commencing has been attached to the approval.

Contaminated Land and Ground Conditions

A Desktop Geo-environmental Phase 1 Desk Study Assessment has contained commercial uses occupied the site for many years and recommends: Gas monitoring to confirm the risk from ground gas due to the presence of made ground associated with the infilled pump; Detailed UXO desk study to confirm what mitigation measures will be required; Intrusive investigations to confirm the most suitable foundation solution and to obtain parameters for concrete classification, floor slab and highways design; and Intrusive site investigations (post demolition) comprising: Windowless sampling and cable percussive drilling / cored drilling. Installation of standpipes in boreholes to allow gas concentrations and groundwater levels to be monitored. Geotechnical testing of soils and rocks. Contamination analyses of soils, assessment and recommendations based on the above, including requirements for further work, if necessary.

It is expected that this information will be required once the existing building has been demolished, and therefore the condition trigger will need to be brought in line with the phasing of work. The level on contamination that may be present is not expected to be unusual in a City Centre context.

Response to Neighbour Representations

It is considered that the majority of the grounds of objection have been addressed in the report.

A condition recommended to be attached which would control the Construction Management Programme.

Issues relating to highways access during construction would be controlled via Highways Act namely S 278 agreement(s).

CONCLUSION

The proposal would have a positive impact on the regeneration of this part of the City Centre, contribute to the supply of Grade A office accommodation, provide significant investment in the City Centre supporting the economy, and create both direct and indirect employment. The proposal is in accordance with relevant National and Local Planning Policies. In addition, a convincing, well considered approach to the repurposing of the Grade II listed 49 Spring Gardens façade and the design, scale, architecture and appearance of the new building has resulted in a high quality development that would make a positive contribution to the streetscene. Any harm to heritage assets would be less than substantial and would be outweighed by the public benefits of the scheme, in accordance with the provisions of Section 66 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Accordingly, the applications is recommended for approval, subject to conditions.

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 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.

Application 131859/FO/2021

Recommendation APPROVE Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

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:

Plans:

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).

Documents:

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;

Stamped as received by the Local Planning Authority on 05 November 2021.

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development 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.

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 (a) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for the construction element of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved document shall be implemented as part of the construction phase of the development.

(b) Within six months of reaching practical completion of the development, details of the results of the scheme approved in part a) of this condition shall be submitted to the Local Planning Authority for consideration.

Reason - To safeguard local employment opportunities, pursuant to policy EC1 of the Core Strategy for Manchester.

5) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for;

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Phasing and quantification/classification of vehicular activity, to include expected number and type of vehicles accessing the site for: Deliveries; Waste removal; Cranes; Equipment, Plant; Works; and Visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction), such as programming, construction methodology, shared deliveries, car sharing, travel planning, parking facilities for staff and visitors, on-site facilities to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway (wheel washing);
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses and Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure
- Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions during the enabling and build phases;
- Compound locations where relevant;
- Details regarding location, removal and recycling of waste (site waste management plan);
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;
- Construction and demolition methods to be used, including the use of cranes (and their location);

- The erection and maintenance of security hoardings;
- Details on the timing of construction of scaffolding.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

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

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

6) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the 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.

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 - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

7) a) Prior to the commencement of development, a programme for the submission of final details of the landscaping, lighting, public realm works shall be submitted to and approved in writing by the City Council as Local Planning Authority. The programme shall include submission and implementation timeframes for the following details:

- I. The proposed hard landscape materials, including the materials to be used for the footpaths surrounding the site and for the areas between the pavement and the line of the proposed building, and within the public realm works area;
- II. Any external lighting;
- III. The ecological enhancements to be installed at the buildings to enhance and create new biodiversity within the development;
- IV. The landscaping proposed for the roof terraces;

b) The above details 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. The development shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory landscaping scheme and ecological enhancements for the development are carried out, in accordance with saved 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.

8) External lighting shall be designed and installed so as to control glare and overspill onto nearby residential properties. If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the City Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the City Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

9) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - an evaluation through trial trenching
 - dependent on the above, more detailed excavation (subject to a separate WSI)
2. A programme for post investigation assessment to include:
 - production of a final report on the investigation results.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the archaeological investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - In accordance with NPPF Section 12, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

10) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, the hierarchy of drainage options in the National Planning Practice Guidance, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the City Council as Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

11) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings. This must include flow controls and attenuation storage;
- As built construction drawings (if different from design construction drawings).
 - Management and maintenance plan for the lifetime of the development to secure the operation of the sustainable drainage scheme throughout its lifetime. The party responsible for management and maintenance of the

drainage system shall be clearly identified. A schedule of tasks and frequencies shall be devised. This shall include all components in the drainage system and shall be aligned with manufacturer's instructions and best practice.

Reason - To manage flooding and pollution, to ensure that a managing body is in place for the sustainable drainage system and to ensure there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy.

11) Deliveries, servicing and collections, including waste collections, shall not take place outside the following hours:

07:30 to 20:00, Monday to Saturday

10.00 to 18.00 on Sundays and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

12) Any external roof terrace areas shall not be used until the hours of use for each terrace and details of their management and how they would be used have been submitted to and approved in writing by the City Council as Local Planning Authority. The roof terraces shall be used in accordance with the approved hours and details thereafter.

Reason - In order that the local planning authority can achieve the objective of protecting the amenity of local residents in accordance with saved policy DC26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

13) Any 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.

Before development commences on any external plant, the scheme shall be 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 site.

b) Upon completion of the development and before any of the external plant is first operational, a verification report will be required to validate that the work undertaken throughout the development conforms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the plant and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance. The report and any necessary measures shall be approved in writing by the City Council as Local Planning Authority and the development shall be implemented in full in accordance with the approved details before the plant is first brought into use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

14) Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the proposed Piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

15 a) Before development commences, a full condition survey of the carriageways/footways on construction vehicle routes surrounding the site shall be undertaken and submitted to the City Council as Local Planning Authority.

b) When all construction/fit-out works are complete, the same carriageways/footways shall be re-surveyed and the results submitted to the City Council as Local Planning Authority for assessment. Should any damage have occurred to the carriageways/footways, they shall be repaired and reinstated in accordance with a scheme that shall first be submitted to and approved in writing by the City Council as Local Planning Authority. The necessary costs for this repair and/or reinstatement shall be met by the applicant.

Reason - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

16) The development shall be carried out in accordance with the submitted Waste Management Strategy (VN211928), prepared by Vectos and received by the Local Planning Authority on 05 November 2021.

Reason - In the interests of amenity, pursuant to policy DM1 of the Core Strategy.

17) In terms of air quality, the development shall be carried out in accordance with the Air Quality Assessment prepared by Cundall and dated October 2021.

Confirmation is required as to where any air quality filters would be installed and a maintenance and replacement plan shall be submitted to include frequency of cleaning and replacement of filters. This information shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the fit out works relating to the air quality measures.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

18) a) Before first occupation of any part of the development, a Travel Plan including details of how the plan will be funded, implemented and monitored for effectiveness, shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remain effective.

b) Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered under part a) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be kept in operation at all times thereafter.

Reason - In accordance with the provisions contained within planning policy guidance and in order to promote a choice of means of transport, pursuant to policies T2 and EN16 of the Core Strategy.

19) The cycle parking areas shown on the approved plans shall be made available at all times whilst the site is occupied.

Reason - To ensure that there is adequate cycle parking for the residential and commercial aspects of the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

20) Within 3 months of first occupation of the building, written evidence shall be provided to the City Council as local planning authority that the development has been built in accordance with the recommendations contained within the submitted Crime Impact Statement, and that a secured by design accreditation has been awarded for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

21) The development hereby approved shall achieve a Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good'. A post-construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority within 6 months of Practical Completion of the development/buildings hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to the principles contained in the Guide to Development in Manchester 2 and policies SP1, DM1 and EN8 of the Core Strategy.

22) No externally mounted telecommunications equipment, except that relating to the servicing of the buildings hereby approved, shall be mounted on any part of the building, including the roof.

Reason - In the interests of visual amenity, pursuant to Core Strategy Policies DM1 and SP1.

23 (a) Prior to the operation of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for the operational element of the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved document shall be implemented as part of the occupation phases of the development.

(b) Within six months of the first occupation of the development, details of the results of the scheme shall be submitted to the Local Planning Authority for consideration.

Reason - To safeguard local employment opportunities, pursuant to policy EC1 of the Core Strategy for Manchester.

Application 131860/LO/2021

Recommendation APPROVE

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

Conditions to be attached to the decision

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 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;

3) (a) Notwithstanding the details submitted with the application, prior to the commencement of development 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.

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.

The documents referred to in the course of this report are either contained in the file(s) relating to applications ref: 129251/FO/2021 and 129252/LO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Historic Buildings and Conservation Areas Panel
Historic England (North West)
Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Urban Design & Conservation
Greater Manchester Police
Environment Agency
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
United Utilities Water PLC
Greater Manchester Ecology Unit

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Historic Buildings and Conservation Areas Panel
Historic England
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit

Relevant Contact Officer : Anthony Mitchell

Telephone number:

Email : anthony.mitchell@manchester.gov.uk

