

## List No. 9

<b>City Centre Ward</b>	<b>Application Number</b> 078101/FO/2005/C1	<b>Date of Appln</b> 26th Jan 2006	<b>Committee Date</b> 23rd Nov 2006
<b>Proposal</b>	Change of use to Use Class A2 (financial & professional services) with new shopfront and installation of 2 no. ATMs.		
<b>Location</b>	2-4 St Anns Square, Manchester, M2 7HH,		
<b>Applicant</b>	HSBC C/o Agent		
<b>Agent</b>	King Sturge 1 Piccadilly Gardens, Manchester, M1 1RG		

### Description

St Ann's Square is a key part of the Regional Shopping Centre. For many years (along with King Street) it was a location for high quality and specialist retailing which helped to distinguish Manchester from other comparable retail destinations. However, the retail dynamic in the City Centre has evolved and developed over the past ten years and investment around Exchange Square and New Cathedral Street have added to and widened the range and quality of the retail product in Central Manchester. This change has inevitably had an impact beyond its immediate area and there have been consequential changes in other parts of the shopping area as the market has responded to changing patterns.

St Ann's Square remains a popular destination. Its high quality and largely pedestrianised environment attracts people throughout the day. It has also accommodated specialist markets which have contributed to its vibrancy. However, there can be no doubt that the retail offer has seen some changes and a number of units have experienced vacancy levels, most notably the former WH Smith's unit on the east side of the square. The future role that the square should fulfil may need to be reviewed although the diverse range of activities that it does accommodate will ensure that it will be both busy and successful.

The application relates to 2-4 St Ann's Square which was last occupied by Waterstones, operating under an A1 (retail) use. The premises are now vacant on all floors.

Planning permission is sought for change of use of the premises to Use Class A2, (Financial and professional Services) with associated elevational alterations which involve the installation of a new shopfront. The applicant has provided a range of supporting information in relation to the precise nature of the usage, the quality standards that should be delivered, the contribution that the scheme would make to the area and details of HSBC's strategy for the City Centre.

HSBC has undertaken a fundamental review of the way in which it operates nationally and of the environment in which services are provided. They have introduced a new retail bank concept which they believe has a similar appearance and functions in a similar manner to a traditional high street shop. These involve open and transparent shopfronts, open plan interiors, a full range of goods and services, automation/self service to provide speed and efficiency, high numbers of meeting areas and a high quality modern fit out including;

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- shopfront glazing for lighting and visibility and provision of an active frontage/character;
- quality furnishings for comfortable waiting/breakout areas;
- plasma screens/further information stands for product display and dissemination; and retail opening hours including weekdays and weekends to meet customer demand.

The intention of this new concept is to create a destination for all banking functions. Functionally and visually the activities, opening hours and frequency of customer usage will be comparable to retail activity premises with open plan accommodation, clear shopfronts and window displays.

As part of this current proposal, HSBC would occupy all floors of the building and therefore ensure that it is fully in use.

HSBC are reviewing their strategy for Manchester City Centre and a key component of this is the proposed 'Flagship' retail bank in St Ann's Square and the creation of a new regional headquarters office of 24,000 sq ft that would employ 150 people.

The proposal is a replacement for operations currently undertaken by HSBC at King Street and will involve the relocation of up to 150 staff from the King Street premises to the proposed premises.

Direct and level access is available into the ground floor with a lift provided to facilitate access to the upper floors.

### **Consultations**

Head of Environmental Health - no objections received

Operational Services - no representations received

Greater Manchester Police - has no objections to the proposal.

Publicity - The application has been advertised as affecting a Conservation Area.

Neighbours - occupiers of adjacent properties were notified of the application. One letter has been received from the representative of an owner of the adjacent building 8 -10 Exchange Street, the letter objected to the proposal on the following grounds:

The scheme is contrary to City Council Policy RC20 Area 6 which requires ground level uses on St Ann's Square to remain consistent with the character of these frontages as predominantly retailing locations.

There is a decline in the level of retail floorspace in the area as a result of other planning permissions granted in the square.

Too much non retail frontage is already in place and this should not be allowed to increase above 30%.

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The application be refused on the grounds that the proposed change of use from A1 to A2 would have a detrimental effect on one of the prime retail areas of Manchester City Centre and lead to a further dilution of the retail core and cause St Ann's Square to lose its identity as a high quality retail destination therefore detrimentally affecting the viability and vitality of this part of the City Centre. It was also requested that the application be presented at committee.

### Issues

#### Unitary Development Plan

The City Centre is the type of location where one would expect to find this type of use and in a broad sense the proposed use is consistent with Policies contained within the Unitary Development Plan, namely, RC3 Mixed Uses. This policy states that a variety and mixture of uses is one of the major characteristics of the City Centre, and goes on to say that in the core area of the main commercial and retail activities could be complemented by the further addition of other uses. However this needs to be balanced against other important policies which describe St Ann's Square as an area where the regional shopping role should be maintained. In this context, therefore it is considered that the main issue to be considered is whether the proposed use and its visual impact is consistent with this predominantly retailing location.

The starting point is to recognise that it is St Ann's Square that has suffered most as a result of the changing pattern of retailing in the City Centre. In this sense, it is different from Market Street and King Street, which are protected by the same policies, which have proven to be more robust retailing locations. Evidence of this has been provided in support of the application where it is claimed that marketing of the unit began in February 2005 and comprised the preparation particulars which were circulated to over 750 retail property agents across the UK and direct to retailers and regional property agents. The unit was also marketed via e-mail on the Jackson Criss website and on the Shop Property website, which is recognised as the premier site in the UK for advertising retail property and is available to the public and property agents alike. Most recently following Waterstones departure, a marketing board has also been displayed at the unit.

It is also claimed that discussions began with HSBC in April 2005 to take assignment of the Waterstones leasehold interest. Throughout the course of these negotiations and beyond, the property has remained available on the market and has therefore been openly marketed as a retail opportunity, albeit unsuccessfully, for a total period of more than 18 months. During this time there has been no firm interest, even on a temporary basis, expressed in the property and the only enquiries received have been two speculative approaches from other retail agents.

Careful consideration needs to be given to planning proposals for alternative uses in St Ann's Square in light of these circumstances. St Ann's Square undoubtedly has a key role to play in terms of the overall functionality of the regional shopping centre, both as a retail destination and as a key link between other elements of the regional shopping centre and it should remain a primarily retailing destination. However, we do need to consider alternative uses which complement this retailing role as it would be counter-productive for the square to contain vacant units.

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The test that should be applied to the acceptability of alternative uses in this location include:- The nature of the use and whether it adds value to, and complements the regional shopping centre; the quality of its appearance in the street-scene in terms of shopfront, signage and security design; the level of footfall that would be generated; and, the hours that the unit would open in relation to the retailing and other uses.

The proposed use is a new concept in terms of banking, particularly in terms of its appearance and the hours of operation. It is important to state here that whilst we note the applicants view about the nature of the use, to all intents and purposes it is a bank ie (Use Class A2) and performs the function that a bank has performed for many years. It is precisely the type of use that we would want to limit and resist in our core retail areas. It is the changing nature of retailing in the City Centre and at St Ann's Square that is important in terms of considering this proposal, not the fact that this concept is acceptable on any shopping street. Traditionally, banks have a solid and heavy appearance in the street-scene and there are examples of this in the immediate vicinity. However, it is proposed that the unit would have light-weight and transparent appearance and would to all intents and purposes have the appearance of a retail unit. The proposal would also result in HSBC occupying all the upper floors of the building which would ensure that additional activity is generated. Whilst a traditional retail use would be preferable in this location, in the context of the changes that have taken place in the square, in this context it could be argued that the specific manner in which this use would operate would complement the shopping function of the square.

The proposal would involve full height glazing and would have a completely transparent appearance. The images in support of the application show no posters or obstructions within the frontages and the signage comprises individual letters. The proposal would achieve all of the quality threshold that would be expected of shopfront design within the City Centre.

The information submitted in support of the application suggests that the level of footfall would be comparable with a retail unit in this location, this would help to ensure that activity levels in the square are maintained and in this sense the proposed use would be complementary to the retail function of the square.

The primary retailing areas in the City Centre now operate seven days per week and include late evening opening. Any non retail uses that locate into the square must open for these hours to protect the vitality of the square and protect its core function. The applicants have confirmed that the use would operate the same hours as the other retail uses and would preserve the core function.

This is a very finely balanced issue and needs very careful consideration. The City Council has recently refused two similar proposals on Market Street which are subject to the same policy consideration. However, there is a difference between these proposals in that the St Ann's Square area has been affected by the changes that have taken place in retailing patterns in the City centre. The proposal passes the test that that you would expect a non retailing use to pass and the use would, in visual terms not only have a neutral effect, it would help to establish quality thresholds in the Square in terms of shopfronts and signage which subsequent activities will have to achieve, and as such will drive forward quality. Having taken all of these issues fully into considerations, officers believe

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that the balance of advantage lies with supporting the scheme. However it will be essential to ensure that it operates fully in accordance with the hours set out in this report, and that the quality of the uncluttered appearance and design is maintained. If the proposal is approved, conditions are recommended to ensure that these essential quality thresholds are achieved. However it is important that the City council expressly states that if this use is supported, the level of non-retail use would have reached its absolute limit and that further proposals would be resisted robustly.

**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 Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents 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. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

### **Recommendation APPROVE**

APPROVE on the basis that the proposal accords with the development plan, in particular policies RC20 Area 6, RC3 & DC18.1 of the City Council's Unitary Development Plan and there are no material considerations of sufficient weight to indicate otherwise

### **Conditions and/or Reasons**

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 drawings numbered 20-200, 201, 202, 203, 204, 205, 206, 207, 208, 220, 221, 222, 223, 224, 225, stamped as received by the Local Planning Authority on 29 December 2005, and the Turley Associates Planning Statement dated October 2006, stamped received by the Local Planning Authority on 27 October 2006, unless otherwise agreed in writing by the City Council as Local Planning Authority.

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Reason - To ensure that the development is carried out in accordance with the approved plans.

3) Before the development hereby approved commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

4) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as Local Planning Authority:-

Monday to Friday 9:00am - 8:00pm

Saturday 9:00am - 5:00pm

Sunday and Bank Holidays 11:00am - 4:00pm

Deliveries, servicing and vehicle/equipment movements on the premises or outdoor parking/amenity areas shall be restricted to the above opening hours.

Reason - To ensure that the premises operate in a manner that is consistent with retailing nature of St Ann's Square.

5) The consent hereby granted does not grant or imply grant of consent for any ancillary externally mounted equipment which would require separate consent.

Reason - for the avoidance of doubt

6) Before development commences, full details of the proposed shopfront shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interest of visual amenity and to ensure that the new shopfront is of a high quality design in terms of its visual appearance and use of materials.

7) Views through the shopfront and into the unit shall be clear and unobstructed at all times.

Reason - to ensure that the frontages do not become cluttered or obstructed with advertisements or promotional material, and to ensure that the use functions in accordance with the approval.

## Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 078101/FO/2005/C1 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 all held by the Planning Division.

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

Rose Project 6 St. Anns Square Central Manchester M2 7HN  
Morralls Coffee Shop 8 Exchange Street Central Manchester M2 7HA  
Sandy 6 St. Anns Square Central Manchester M2 7HN  
Gregg Brothers & Co 517-519 Royal Exchange Central Manchester M2 7NX  
Flannels Woman Royal Exchange Arcade Central Manchester M2 7EA  
Munch Royal Exchange Arcade Central Manchester M2 7EA  
Stephens Classic Cameras Ltd 12 St. Anns Square Central Manchester M2 7HW  
Easy Internet Cafe Acresfield 8 Exchange Street Central Manchester M2 7HA  
Fowlers 7 Royal Exchange Arcade Central Manchester M2 7EA  
E C Harris The Exchange Central Manchester M2 7EH  
The Art Shop 16-18 Royal Exchange Arcade Central Manchester M2 7EA  
Mays Pawnbrokers & Jewellers Royal Exchange Arcade Central Manchester M2 7EA  
Royal Exchange Clinic Royal Exchange Arcade Central Manchester M2 7EA  
Past Times 6 St. Anns Square Central Manchester M2 7HN  
Its-actionstride Ltd 427-430 Royal Exchange Central Manchester M2 7EP  
Nationwide Bldg Soc 12-14 Cross Street Central Manchester M2 7AE  
Thompson Solicitors Acresfield 8 Exchange Street Central Manchester M2 7HA  
Norman Simmons (manchester) Ltd 10 St. Anns Square Central Manchester M2 7HW  
Fraser Hart Ltd 12a St. Anns Square Central Manchester M2 7HW  
Israel Travel Service 546-550 Royal Exchange Central Manchester M2 7EN  
Savoy Taylors Guild 1-5 St. Anns Square Central Manchester M2 7EF  
Bar 5 5 Old Bank Street Central Manchester M2 7PE  
Pastiche 9 Old Bank Street Central Manchester M2 7PE  
Industry 13 Old Bank Street Central Manchester M2 7PE  
Life 13a-15 Old Bank Street Central Manchester M2 7PE  
Morralls Coffee Shop 8 Exchange Street Central Manchester M2 7HA  
Easy Internet Cafe Acresfield 8 Exchange Street Central Manchester M2 7HA  
Thompson Solicitors Acresfield 8 Exchange Street Central Manchester M2 7HA  
The Disney Store 8 Exchange Street Central Manchester M2 7HA  
Sports Pages Barton Square Central Manchester M2 7LW  
Gifford & Partners Ltd 2-4 Kings Court Exchange Street Central Manchester  
Mail On Sunday Acresfield 8 Exchange Street Central Manchester M2 7HA  
Christie & Co Ltd Acresfield 8 Exchange Street Central Manchester M2 7HA  
Daily Mail Acresfield 8 Exchange Street Central Manchester M2 7HA  
Tushingam Moore Acresfield 8 Exchange Street Central Manchester M2 7HA  
Rapleys Acresfield 8 Exchange Street Central Manchester M2 7HA  
7 Barton Arcade Central Manchester M3 2BB  
Rose Project 6 St. Anns Square Central Manchester M2 7HN  
Sandy 6 St. Anns Square Central Manchester M2 7HN  
Past Times 6 St. Anns Square Central Manchester M2 7HN  
John Good & Sons (london) Ltd 6 St. Anns Square Central Manchester M2 7HN  
Select Education 6 St. Anns Square Central Manchester M2 7HN  
Flannels Woman Royal Exchange Arcade Central Manchester M2 7EA  
Munch Royal Exchange Arcade Central Manchester M2 7EA  
Fowlers 7 Royal Exchange Arcade Central Manchester M2 7EA  
The Art Shop 16-18 Royal Exchange Arcade Central Manchester M2 7EA

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Mays Pawnbrokers & Jewellers Royal Exchange Arcade Central Manchester M2 7EA  
Royal Exchange Clinic Royal Exchange Arcade Central Manchester M2 7EA  
Phil Black Menswear 14 Royal Exchange Arcade Central Manchester M2 7EA  
Razors Edge (manchester) Ltd 1 Royal Exchange Arcade Central Manchester M2 7EA  
Statement 4 Royal Exchange Arcade Central Manchester M2 7EA  
Randells 20 Royal Exchange Arcade Central Manchester M2 7EA  
Oxfam 12 Royal Exchange Arcade Central Manchester M2 7EA  
Formes 8 Royal Exchange Arcade Central Manchester M2 7EA  
Art Shop 6 Royal Exchange Arcade Central Manchester M2 7EA  
Versa 19 Royal Exchange Arcade Central Manchester M2 7EA  
Gregg Brothers & Co 517-519 Royal Exchange Central Manchester M2 7NX  
E C Harris The Exchange Central Manchester M2 7EH  
Its-actionstride Ltd 427-430 Royal Exchange Central Manchester M2 7EP  
Nationwide Bldg Soc 12-14 Cross Street Central Manchester M2 7AE  
Israel Travel Service 546-550 Royal Exchange Central Manchester M2 7EN  
Savoy Taylors Guild 1-5 St. Anns Square Central Manchester M2 7EF  
Bar 5 5 Old Bank Street Central Manchester M2 7PE  
Pastiche 9 Old Bank Street Central Manchester M2 7PE  
Industry 13 Old Bank Street Central Manchester M2 7PE  
Life 13a-15 Old Bank Street Central Manchester M2 7PE  
Jacobs Photo & Video Stores 16 Cross Street Central Manchester M2 7AE  
534-538 Royal Exchange Central Manchester M2 7EN  
Retail Solutions Recruitment Ltd 435-437 Royal Exchange Central Manchester M2 7EP  
Starbucks 9-11 St. Anns Square Central Manchester M2 7EF  
7 St. Anns Square Central Manchester M2 7EF  
Thorntons Plc G19-g20 Royal Exchange Shopping Centre Central Manchester M2 7DB  
Barclays Bank Plc 15 St. Anns Square Central Manchester M2 7PW  
Stephens Classic Cameras Ltd 12 St. Anns Square Central Manchester M2 7HW  
Norman Simmons (manchester) Ltd 10 St. Anns Square Central Manchester M2 7HW  
Fraser Hart Ltd 12a St. Anns Square Central Manchester M2 7HW  
W T Gunson & Son 12 St. Anns Square Central Manchester M2 7HW  
Cheetham & Mortimer 12 St. Anns Square Central Manchester M2 7HW  
Journey Latin America 12 St. Anns Square Central Manchester M2 7HW  
Poole Dick Associates 12 St. Anns Square Central Manchester M2 7HW  
The Occupier O Briens 18 Cross Street Central Manchester M2 7AE

### Representations were received from the following third parties:

<b>Relevant Contact Officer:</b>	: Rebecca Hadfield
<b>Telephone No.</b>	: 0161 234 4071
<b>Email</b>	: r.hadfield@manchester.gov.uk