

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
085932/FO/2008/C2	4th Jun 2008	24th Jul 2008	City Centre Ward

**Proposal** Conversion of 1st to 4th floor to hotel accommodation (20 rooms) and associated elevational alterations including insertion of new glazed roof lights

**Location** 2 Canal Street, Manchester, M1 3HE,

**Applicant** Velvet Ltd, 2 Canal Street, Manchester, M1 3HE,

**Agent** Richard Chadwick Associates 226A Stockport Road, Timperley, Cheshire, WA15 7UA

### **Description**

The application relates to a building known as 2 Canal Street which comprises 5 floors above a basement level and has elevations onto Canal Street and Richmond Street. The ground floor and the basement of the building are currently a bar / restaurant known as Velvet and the upper 4 floors are fitted out and have consent for use as office space but are currently vacant.

Consent is sought for a change of use of floors 1 to 4 to a hotel and associated elevational alterations. The bar / restaurant use would remain at the basement and ground floor levels and the hotel accommodation would provide 20 rooms.

The proposed elevational alterations would comprise the following:

- Removal of all existing external air conditioning units for relocation within an internal plant room;
- Remove existing patent glazed roof lights to Richmond Street elevation and fit new;
- Install 2 sets of new glazed rooflights to Canal Street elevation;
- Remove 5 existing windows to Canal Street elevation to create balconies at 1st floor level and install handrail;
- Install 5 new windows in existing openings at 1st and 2nd floor level where previously removed;
- Formation of new level entrance to Richmond Street elevation.

The building lies within an area of the City Centre which contains a variety of uses including bars, restaurants, nightclubs, commercial, residential and hotel uses. 1 Canal Street is in use as offices with a bar use at ground floor and basement level whilst 3 Canal Street is used as offices. The buildings to the rear, 11 Bloom Street and 10 Minshall Street are vacant (with consent for a hotel use above a casino -application ref no 079434 (approved July 2006) and offices with basement nightclub respectively.

A number of clubs in the vicinity of 2 Canal Street have very late licences. Queer Bar at 4 Canal Street runs an event known as 'Morning Glory' from 4am until 10am. There is no residential accommodation within or immediately

adjacent to the block of properties running from 37 Chorlton Street to 1 Canal Street.

The building lies adjacent to the Whitworth Street Conservation Area and adjacent to a number of Grade II and Grade II\* listed buildings.

The principle access to the upper floor uses and the bar /restaurant use is currently through separate entrances off Canal Street. Refuse will be stored within an existing internal bin store.

### **Consultations**

**Manchester Conservation Area and Historic Buildings Panel** : Commenting on the original submission stated that

The Panel noted that the existing building is sited adjacent to a number of listed buildings and the Whitworth Street conservation area. The Panel could not understand why this part of Canal Street is not included within the conservation area. The Panel felt strongly that the conservation area should be extended to include this block as it is very much in keeping with the character of the conservation area.

The Panel considered it a pity that a building of such character is not in the conservation area and questioned the quality and appropriateness of the proposed alterations.

The Panel noted the merits of the existing building, including its uninterrupted roofscape incorporating banks of glazing. The long, sloping roof aesthetic being a key characteristic of Manchester's industrial buildings. The change in scale and mass between the front and rear elevations was also noted, as were the presence of industrial artefacts remaining on the building's rear elevation.

The Panel considered the proposal to be a poor 'space grab' which fails to respond to the character of the existing building or the character of the adjacent buildings. The re- configured rear roof-slope and raising the rear walls by two storeys with a solid mass was considered to be inappropriate. This is compounded by the crude over-large dormer add- ons and gable-to-gable railings on the roof. The proposal was considered to fall between two stools; it does not respond to the existing historic character nor is it a good informed modern solution. It was considered to be a poor approach to propose the loss of all the windows to the Canal Street elevation for the creation of internal balconies.

The Panel recommended the applicant review the proposals to offer a design solution that responds to and uses the building's 'plus' points rather than destroying them. Dormers and individual roof-lights are alien to the building's character, but banks of glazing could be developed to give more light and amenity to the roof storeys.

Large expanses of glazing to the rear elevation would be more appropriate than the vertical 'solid' walls and dormers proposed.

Historic features and character, and industrial artifacts, should be retained as part of any proposed re-development. The Panel considered the proposal as submitted would have a negative impact on the setting of the adjacent listed buildings and conservation area.

Recommend - Negotiate as above/ refuse as submitted.

The Panel also recommended the extension of the Whitworth Street conservation area to include this block on Canal Street.

**Head of Environmental Health** - Have no objections to the use provided that the acoustic glazing to windows and acoustic insulation between the bar in the ground floor and basement as specified in the recommendation in the submitted acoustic report is installed and a condition to this effect will be attached to any consent granted.

A condition relating to the acoustic insulation of the plant room has also been requested.

**Greater Manchester Police** - Have no objections subject to the entrance from Richmond Street being well lit and access through here controlled.

**Publicity** - The application was advertised as a public interest development and occupiers of adjacent and nearby properties were notified about the scheme. 22 Letters of objection have been received. The basis of the objections is summarised below:

- That a hotel use would not be in keeping with the character of the area.
- That there are a sufficient number of hotels in the City Centre.
- That people staying in the rooms in the hotel will complain about noise coming from clubs and bars operating in this part of Canal Street and that such complaints will lead to those venues having to alter the way that they operate by reducing noise and altering opening hours.
- That if bars and clubs are forced to reduce their noise levels this may lead to a loss of business or at worst closure and consequent job losses.
- That many people who use Queer Bar on a Saturday night use it as a place to go after the other clubs have shut to wait for public transport to start running.
- That the alterations to the operation of Queer Bar that would result from the hotel use would have detrimental impact on the social life of patrons.
- That the building is old and that no amount of soundproofing will stop noise leakage into the hotel.
- That the loss of office accommodation will lead to a loss in lunchtime / teatimes trade and as there are very few visitors to the Village from Monday to Fridays may result in more bars not opening during the day.

- That a hotel use would increase the amount of traffic and demand for parking in the area.

A 1800 name petition objecting to the opening of the hotel has also been received.

2 letters of support for the hotel use have also been received.

### **Issues**

The main issues to consider in determining this application are firstly whether the proposed use of the premises as a hotel would be acceptable and compatible with other uses in this part of the City Centre and secondly what impact the external elevational alterations would have on the appearance of the building within the street scene.

**Unitary Development Plan and Use** - This application site lies within an area characterised by a mix of uses with a large number of bars, restaurants and clubs operating in the area alongside commercial premises (including offices) residential uses (although none in the immediate vicinity of the application site) and hotel accommodation. It should also be noted that although yet to be implemented, a consent was granted for a hotel use above a casino at 11 Bloom Street in July 2006 (application ref no 079434). There is also hotel accommodation at the New Union Hotel (111 Princess Street), the Rembrandt Pub (33 Sackville Street) and approved hotel accommodation within the recently approved West Properties development at the junction of Princess Street and Whitworth Street which is currently under construction (application ref no 081209).

In this context it could be considered the use of the upper floors of 2 Canal Street as a hotel is compatible with the existing activity in the area. In addition a hotel use in this location would add range and quality of facilities within the City Centre as well to the tourism product offered in Manchester, in particular to those who might particularly want to stay in the Village area.

Having said this, there is a need to consider the potential adverse impact that existing noise sources in the area might have on the amenity of those using the hotel. In addition there is a need to consider the potential impact on adjacent businesses of a hotel use in this location, as complaints about noise from hotel residents may result in the review and alteration of the conditions of the licences for surrounding uses which might impact on the way that those premises currently operate. Queer Bar at 4 Canal Street (which is separated from the proposed hotel use by 3 Canal Street) is currently allowed to operate at any time during a 24 hour period and can play recorded music during that same period. There are however limits to when it can serve alcohol (between 11.00 and 04.00), provide late night refreshment (between 23.00 and 05.00) have live performances (between 11.00 and 04.00).

The acoustic report and noise measurements submitted with the application clearly indicates that provided that the acoustic glazing to windows as recommended in that report is installed then there would be no disamenity to hotel residents from noise breaking into the premises. The measurements on

which these recommendations are based were taken during a period spanning from Friday afternoon until Tuesday afternoon and therefore included cover of the busy weekend period. On this basis provided that the hotel use is acoustically insulated in accordance with the recommendations of the acoustic report (and this would be a condition of any consent granted) the hotel should not suffer disamenity as a result of noise from adjacent uses.

In view of the above, the proposal is considered to be compatible with UDP policy, in particular Policy R1.1 (Regeneration), RC3 (Mixed Uses), RC6 (Tourism), RC20 (Area 17) Small Area Proposals, Policy H2.2 (Housing - Residential Development), DC12 (Commercial Uses Above Shopping Frontages) and Policy DC26 (Development and Noise).

**Regeneration** - The proposals will redevelop vacant floorspace with a viable use which it is felt will have a positive impact on the regeneration of the wider area and contribute to maintaining activity in the area during the day and at night.

**Regional Spatial Strategy (RPG13)** - There are relevant policies in the Regional Spatial Strategy (RPG13) related to this proposal. These are as follows:

DP1 - This policy advises that new development and other investment in infrastructure and services should be located so as to make the most effective use of land, promote appropriate mixes of uses within a site and its wider neighbourhood, make efficient use of transport facilities and assist people in to meet their needs locally.

DP3 - This policy states that new development must demonstrate good design quality and respect for its setting.

**Design Issues / Elevational Alterations** - It is felt that the proposed external alterations would be in keeping with the character of the building and would not adversely impact on its overall aesthetic within the street scene. The scheme has been amended following submission as a result of comments made by the Panel and the Design and Conservation Group.

The removal and replacement of the existing patent glazed rooflights to Richmond Street would retain the overall design aesthetic of this element of the façade and the installation of glazed rooflights to Canal Street would retain the existing profile of the roof whilst allowing adequate light into the building to allow the use to operate within the roof area. The removal of the large amount of external plant and its relocation to a dedicated internal plant room is particularly welcome as this will significantly improve the current poor appearance of the rear of the building.

**Parking issues** - No parking is proposed as part of the proposals but the property has good public transport connections locally via Chorlton Street Bus Station, Piccadilly Bus and Railway Station's and Metrolink. There are a number of large public car parks in the area at Minshall and Chorlton Street.

**Amenity** - The issue of potential disturbance from surrounding uses to hotel residents is dealt with above. The hotel would include a plant room area and which has the potential to generate noise which could disturb the occupiers of the building. A condition requiring detail of how this area will be acoustically insulated will be attached to any consent granted.

**Crime and Disorder** - Richmond Street is currently an underused street lacking in street level activity and the introduction of the hotel use with its entrance off Richmond Street will enhance street level activity and as a consequence enhance the level of natural surveillance in this area. The implementation of the measures detailed in the Crime Impact Assessment which will be a condition of any consent granted will avoid / reduce any potential for crime associated with the premises. A Secure by Design condition will be attached to any consent granted.

**Disabled Access** - Access to the hotel will be via new level entrance on Richmond Street. Internal access throughout the whole property including both existing trading areas at lower level and the new and proposed accommodation levels will be via a new passenger lift servicing all floors, utilising an existing redundancy goods lift shaft.

**Panels Comments** - As a stated earlier, the scheme has now been revised and incorporates changes recommended by the Panel. The industrial artefacts on the Richmond Street elevation are to be retained and refurbished as part of the scheme.

**Response to Objections** - Most of the material issues raised by objectors have been considered above. However, outstanding issues include:

That the loss of office accommodation will result in a loss of lunchtime / tea time trade within the village which may in turn lead to job losses - The Canal Street area is a vibrant part of the City Centre and the use as a hotel would bring people into the area that could potentially use the local facilities in just the same way that office workers do. Indeed it could be argued that as visitors to the City their financial contribution to the local economy would be greater.

**Conclusion** - There has been some amount of opposition to the scheme including individual responses from 22 people and a petition signed by 1800 people. This is clearly an important material consideration and should carry some weight in the determination of the application. The issues that have been raised through the notification process have been set out and addressed in the report and whilst it is accepted that this would not satisfy the objectors, it does help to provide the proper planning context for how the recommendation has been formulated. Based on the information submitted in support of the application and the recommendations of the Head of Environmental Health it is considered that provided that the recommended acoustic insulation measures are implemented, that in Policy terms the application should be supported.

**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)/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. He believes that any restriction on these rights posed by the 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**

on the basis that the proposals subject to compliance with the conditions below, generally accord with the policies contained within the Development Plan specifically the Unitary Development Plan Policies R1.1 (Regeneration), RC3 (Mixed Uses), RC6 (Tourism), DC9.1 (Disabled Access) DC12 (Commercial Uses Above Shopping Frontages), DC 26.1 (Development and Noise), H2.2 (Housing - Residential Development) and RC20 (Area 17) Small Area Proposals, in that the proposals would improve range and quality of facilities in the City Centre for all who use it, in that the proposal would be compatible with the mix of uses in this part of the City, that such uses above ground floor level are acceptable in the City Centre, create leisure and recreational facilities for tourism, that the development will make the building including the existing bar use fully accessible to disabled people, that subject to compliance with conditions the hotel use will be adequately acoustically insulated from existing noise sources in the area and would not cause disamenity to nearby residents. and subject to the following :

**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) No development shall commence until details of the measures to be incorporated into the development ( or phase thereof ) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

3) The approved scheme to provide disabled access shall be implemented before the development hereby permitted is brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester Policies DC9.1 ; The level access and lift shown on drawings 02 B and 08 B; shall be retained and operational for so long as the building is in use.

4) Before the building hereby approved is first occupied the proposed plant room and equipment shall be insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the property.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

5) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

(a) 917 02 B and 08 B;

(b) Recommendations of BDP Acoustics Report dated 04-2008;

(c) Waste Management Strategy stamped as received by the City Council on 29-05-2008;

(d) Recommendations in Crime Impact Statement stamped as received by the City Council on 29-05-2008 and Nick Darnley's E-mail dated 12-06-2008;

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2; of the Manchester Unitary Development Plan.

6) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy \*\*\*\* of the Unitary Development Plan for the City of Manchester.

### **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: 085932/FO/2008/C2 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:**

Environmental Health  
Environment & Operations (Refuse & Sustainability)  
Greater Manchester Police  
Showtech, Mindel House, 10 Minshull Street, Manchester, M1 3EF  
Bookbinder, Mindel House, 10 Minshull Street, Manchester, M1 3EF  
Beamfeature Ltd, Mindel House, 10 Minshull Street, Manchester, M1 3EF  
Greater Manchester Probation Service, 12 Minshull Street, Manchester, M1 3FR  
The Churchill, 37 Chorlton Street, Manchester, M1 3HN  
Slug & Lettuce, 4 Canal Street, Manchester, M1 3HE  
Red Vision, Cambos House, 3 Canal Street, Manchester, M1 3HE  
Unit Communications Group Ltd, 1 Canal Street, Manchester, M1 3HE  
Communique Public Relations Ltd, Waterside, 2 Canal Street, Manchester, M1 3HE  
Fruhman Davies Livingstone, Mindel House, 10 Minshull Street, Manchester, M1 3EF  
Gillett & Bevan Ltd, 5 Richmond Street, Manchester, M1 3HF  
Rathbone, Mindel House, 10 Minshull Street, Manchester, M1 3EF  
Robin Mills Ltd, Mindel House, 10 Minshull Street, Manchester, M1 3EF  
Media Mission Ltd, 5 Richmond Street, Manchester, M1 3HF

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

Matthew Easton, 281 Links Road, Aberdeen, AB24 5EZ  
Nigel Martin Smith, Essential Nightclubs Limited, Erica Campbell 40 Thomas Street, Manchester, Stefania Tunney Rendaton Apartments Salford, Philip Benfield, Chorlton Mill Manchester, Kelvin Gray Adamson House Salford, K Smith Sunbank Lane, Ringway Manchester, Vladimir Sloncinal Mount Drive Urmston, Robert Kynman Victoria Street Glossop, Jay Stevenson Carthope Arch Salford, Ben Reynolds Princess Street Manchester, David Cameron (Email no address), Nick Smith (Email no address), Georgina Andrew Kings Road Ashton-Under-Lyne, Sam Coulson St Gabriels Court Horsforth Leeds, James Wilkinson Elishow Road Salford, Jennifer Macdonald Summerseat Close Salford, Spread Eagle House Chapel Milton High Peak (no name), James Wilkinson Braemar Road Manchester, Matt Lewis Windmill Lane Denton Manchester, Sean Martins River View Terrace Llandudno Junction Wales, Ian Stuart McGuire (Email no address), Libby Uszkiewicz (Email no address).

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