



Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

Our Ref: let.001.70083806
3 August 2021

BY PORTAL:
PP-09792154

Dear Sir/Madam,

Application to discharge of conditions of planning permission 122649/JO/2019 - Application for the Variation of conditions 1 (Specified Plans) and 15 (Waste Management) attached to planning approval 118525/JO/2017 to provide 2 no. commercial units at ground floor level for class use A3 & A4, the provision of an additional bin store along with the associated elevational alterations

I write on behalf of the applicant, SecondCity MCR, in relation to planning permission ref: 122649/JO/2019 to inform you that an application for approval of details reserved by a condition has been submitted via the planning portal.

The application seeks to discharge Conditions 8b, 11, 12, 15 and 19 as listed on consent reference 122649/JO/2019.

This application has been submitted via the Planning Portal (PP-09792154) and comprises the following documents alongside this cover letter:

- Local employment agreement;
- Premises Licence (ref: 256231);
- Kitchen Ventilation System ground floor plan (ref: 2242 M/101 rev 0);
- Kitchen Ventilation System upper floor plan (ref: 2242 M/102 rev 0);
- Proposed elevations showing ventilation/extraction (ref: 2242 M/101 rev 0);
- Kitchen Extract Proposal (prepared by Jigsaw);
- ESP specification (model: 4500E);
- HELIOS GIGABOX GBD 500/4/4 T120 specification sheet;
- Fläkt Woods LTD JMV Axial Flow Fan specification sheet;
- UV-O 1000 specification sheet;
- Specification for EMAQ/DEFRA Report;
- Noise assessment prepared by JPM Acoustics;
 - Acoustic attenuation specification sheet (appended).

The planning application fee of £144 (including £28 admin fee) has been paid via the Planning Portal.

BACKGROUND

The application site relates Unit 1 Cotton Square, Ancoats, M4 5EP. The applicant, SecondCity MCR, is the future occupier of one of the approved ground floor commercial units.

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The relevant planning history for the site comprises:

- **109467/FO/2015/N1** – Erection of part four, part six storey building and extension to Edinburgh Castle Public House to form 21 residential units (Use Class C3) with ground floor restaurant/cafe (Use Class A3) (555 sqm) and second floor office space (B1) within the cutting room (128 sqm) within associated building refurbishments following demolition of former backpackers building – Approved 20 Oct 2015
- **116302/JO/2017** - Variation of Conditions 2 (Approved Drawings) and 16 (Waste Management) of previously approved planning permission 109467/FO/2015/N1 to allow change of use on the ground floor from previously approved commercial use (Class A3) to commercial (Class A3) & Office use (Class B1) with the refuse store locations amended to suit the revised layout, the change of use within the existing Cutting Room building from previously approved 1 no. office unit (B1) to 2 no. Class C3a residential dwellings (1 no. apartment & 1 no. townhouse) and changes to the elevational treatment, including cladding, balustrades, window configuration and louvre positions for bin stores. | Edinburgh Castle 15-17 Blossom Street Manchester M4 5AN – Approved 29 Aug 2017
- **122649/JO/2019** - Application for the Variation of conditions 1 (Specified Plans) and 15 (Waste Management) attached to planning approval 118525/JO/2017 to provide 2 no. commercial units at ground floor level for class use A3 & A4, the provision of an additional bin store along with the associated elevational alterations – approved 21 May 2019 Conditions

The ground floor commercial units have consent for use classes A3 and A4 in accordance with the approved Section 73 Application reference: 122649/JO/2019.

The applicant is a bar operator with an expanded food provision, which therefore accords with the approved uses. As such, planning consent is not required for SecondCity Bar to operate within the unit.

There are however a number of pre-occupation conditions on the consent which relate to the ground floor commercial units. This application seeks consent to discharge the pre-occupation conditions relevant to this unit. Each condition is discussed in turn below.

CONDITIONS

Condition 8(b) - Local Employment Agreement strategy for the future staffing of the restaurant and drinking establishment uses

The condition states:

“b) Prior to the occupation of the A3 and A4 units hereby approved on the ground floor, a proposed Local Employment Agreement strategy for the future staffing of the restaurant and drinking establishment uses shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The restaurant shall then be operated in accordance with the approved strategy.

“Reason - To safeguard local employment opportunities, pursuant to policies SP1 of the Manchester Core Strategy (2012).”

A Local Employment Agreement strategy has been prepared and submitted with this application which sets out the employment strategy for the unit.

Condition 11 – Details of extraction

The condition states:

“11) Prior to the first use of the commercial units as indicated on drawing (04) 501 Rev P4 stamped as received by the City Council, as Local Planning Authority, on the 8th February 2019, should fume extraction be required details of how the fumes, vapours and odours shall be extracted and discharged from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first use of the commercial premises and thereafter retained and maintained in situ.

“Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).”

The following documents have been submitted to address this condition:

- Kitchen Ventilation System ground floor plan (ref: 2242 M/101 rev 0);
- Kitchen Ventilation System upper floor plan (ref: 2242 M/102 rev 0);
- Kitchen Extract Proposal (prepared by Jigsaw);
- ESP specification (model: 4500E);
- HELIOS GIGABOX GBD 500/4/4 T120 specification sheet;
- Fläkt Woods LTD JMV Axial Flow Fan specification sheet;
- Acoustic attenuation specification sheet (see acoustic assessment);
- Proposed elevations showing ventilation/extraction;
- UV-O 1000 specification sheet; and
- Specification for EMAQ/DEFRA Report;

Jigsaw Solutions has undertaken an assessment of odour and ventilation measures required within the unit. The equipment proposed has been selected to accord with the recommendations of this assessment. A copy of the report has been submitted with this application.

The ventilation equipment specified is included within the Kitchen Ventilation System plans and the relevant specification sheets have been provided.

The ventilation equipment proposed accords with the requirements of the unit and will not adversely impact the amenity of nearby occupiers, in accordance with Policies SP1 and DM1 of the Manchester Core Strategy (2012).

Condition 12 – Acoustic

The condition states:

“12) Notwithstanding the noise assessment prepared by Hepworth Acoustics (ref. P15-360-R01v1) stamped as received by the City Council, as Local Planning Authority, on the 24 July 2015, prior to the first occupation of the commercial units, as indicated on drawing (04) 501 Rev P4 stamped as received by the City Council, as Local Planning Authority, on the 8th February 2019, a scheme of the acoustic treatment of the commercial unit along with a noise study shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first use of the premises.

“Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).”

JPM Acoustics has undertaken a sound insulation test between the ground floor unit and first floor residential dwellings. The results of the sound insulation test have informed the design of the ceiling system and wall lining mitigation to contain noise transfer.

The report also assesses the external plant and ventilation equipment proposed, the report recommends attenuation measures to ensure compliance with the Council's requisite noise criteria, which has been designed into the proposal. Details of the attenuation proposed is provided within the submitted acoustic report.

The assessment concludes that with the mitigation measures installed, there will be no adverse impacts upon the amenities of neighbouring properties in accordance with Core Strategy Policies DM1 (Development Management) and SP1 (Spatial Principles) and saved UDP Policy DC26 (Development and Noise).

Condition 15 – opening hours

The condition states:

“15) No part of the building marked as Class A3/Class A4 commercial units as shown on the approved drawings, shall be occupied until the opening hours of such part have been agreed in writing by the City Council as local planning authority. That part of the building shall thereafter not open outside the approved hours.

“Reason - In order that the local planning authority can achieve the objectives both of protecting the amenity of local residents and ensuring a variety of uses at street level in the redeveloped area in accordance with saved policy DC 26 in accordance with the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.”

The following opening hours are proposed:

9:00 - 23:30 Sunday to Thursday

9:00 - 00.30 Friday and Saturday

Licencing has been approved for these hours, a copy of the licence is provided within this application.

The operating hours proposed are appropriate within this location and are in keeping with neighbouring commercial premises such as Seven Brothers, Nam and Counter House which have consent to operate until 00:30 on Friday and Saturdays (ref: 071014/FO/2004/N1).

The proposed opening hours will contribute towards the vibrancy of the area whilst ensuring residential amenity is adequately protected. The opening hours proposed will thereby protect the amenity and ensure a variety of uses at street level which accords with Core Strategy Policies DM1 (Development Management) and SP1 (Spatial Principles) and saved UDP Policy DC26 (Development and Noise).

Condition 19 – Roller shutters

The condition states:

“19) Prior to the first occupation the commercial units as indicated on drawing 7763 (04) 501 Rev P4 stamped as received by the City Council, as Local Planning Authority, on the 8th February 2019, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the

shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

“Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).”

At this time consent is not being sought for the installation of roller shutters. Should the applicant wish to install roller shutters in the future, consent will be sought to discharge this condition under separate cover.

SUMMARY

We trust that the information submitted is sufficient to discharge the relevant conditions, and we look forward to confirmation that the application has been validated.

Please do not hesitate to get in contact if you have any queries or require any further information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'V Welch'.

Victoria Welch
Planner