

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143809/FO/2025

Date registered valid: 26 August 2025

Proposal: Installation of extraction flue to rear of building, including associated shroud.

Address: 65 Whitworth Street, Manchester, M1 3NZ

Ward(s): Piccadilly Ward

Applicant: Mr Pshtiwan Salim, Grand Property Assets Ltd

Agent (if any): Mr Darren Pomfret, Manchester Building Design Ltd

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: **20 October 2025**

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15 September 2025

Standard consultations:

Printed: 2 September 2025

Expired: 23 September 2025

Neighbour notifications

Printed: 2 September 2025

Expired: 23 September 2025

Site notice

Posted: 15 September 2025

Expired: 6 October 2025

Press advert

Published: 9 September 2025

Expired: 30 September 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application site is located at 65 Whitworth Street, M1 3NZ. It is located on a prominent and highly visible corner of Whitworth Street and Princess Street, two key arterial routes, with Whitworth Street being a gateway route that connect Oxford Road to Piccadilly Station.

The ground floor of the building relates to a former bank premises that was previously occupied by Royal Bank of Scotland (RBS). It is understood that the intention is for this ground floor unit to be occupied by a high-end restaurant occupier, which would not require a Change of Use application, as the previous use of the unit was Class E. The external appearance of the ground floor of the unit is stone-faced, with ornate columns dominating the appearance at street level.

The wider building is five storeys tall and is constructed predominantly of red brick, with a tiled mansard roof on the fifth-floor level. There is also a basement level to the building. The building appears to have been built in the mid-late 19th Century and whilst not listed, is considered by the Local Planning Authority to be a non-designated heritage asset that, in conjuncture with other listed buildings and non-designated heritage assets that run down the south facing side of Whitworth Street, makes a vital contribution to the Whitworth Street Conservation Area, as stated in the listing for the conservation area, which articulates how the area is uniquely Mancunian in character, with its physical form being established by the wealth of fine Victorian and Edwardian buildings erected between 1850 and 1920, that reflect the historical importance of the textile industry in the city.

The building previously had office use for the upper floors, but these are now occupied by residential units, which were granted prior approval in 2016.

The surrounding street scene is residential and commercial in nature. The world-famous Canal Street/Manchester Gay Village is located not far from the premises and is primarily dominated by late night nightlife uses.

Manchester New Square, a prominent a new residential development, is situated on the opposite side of Whitworth Street to the building.

The building is not listed but is near to a number of listed buildings, including Grade II* listed building Lancaster House and Asia House, which are located on the opposite side of Princess Street.

Windows within the rear of the 65 Whitworth Street building face on to an enclosed courtyard area, which backs on to Princess Court, a residential block which accommodates 50 flats. Windows from Princess Court also face onto the courtyard.

The windows at the rear of 65 Whitworth Street already have somewhat diminished light levels due to facing on to an enclosed courtyard, as well as being located in a slightly shorter building than the adjacent Princess Court. At ground floor level, there is a lightwell that is situated lower than the enclosed courtyard area, which begins at the first-floor level. This lightwell serves the ground floor commercial unit and not any residential property.

Between third and fourth floor level, there is an external decking structure that is covered at fourth floor level by a 3.2m high key clamp and weldmesh enclosure. This is required for maintenance access to the building and does somewhat diminish the amount of light allowed into the apartments facing out on to the enclosed courtyard at third and second floor level.

The courtyard is used as a gathering area for residents from Princess Court to exercise or sit out. The application relates specifically to this courtyard area.

Description of Development

The proposal seeks planning permission for the installation of extraction flue to rear of building, including associated shroud.

The extraction has been proposed in order to facilitate the use of a restaurant unit in the ground floor commercial unit.

The majority of the flue will be clad in an imitation white glazed brickwork to match adjacent brickwork. At the top and the bottom of the flue, the flue would be exposed and the ductwork of it shall be powder coated in Slate Grey RAL 7015.

As a part of these works, an existing rainwater pipe will be relocated to the internal corner to allow the extraction flue over to sit against the wall. There will be an imitation weather standstone corbel to the head of the flue enclosure and the introduction of a new trimming detail for the decking, where the flue enclosure would meet the decking.

The flue would face out on to the courtyard that is a part of Princess Court. It would run down the side of the building, through the lightwell right next to the windows for the internal staircase to the building and would be separated from the windows to 3no. flats by 150cm. Given this although not directly abutting and slightly set back, from it would impact on light levels received by the residential windows from the second to the fourth floor.

Related Applications

112399/P3OPA/2016 - Prior approval application for change of use of the first, second, third and fourth floors from office use (Class B1a) to 24 residential apartments (Class C3).

Approved October 2016.

122894/P3OPA/2019 - Prior approval application for change of use of first, second, third and fourth floor from offices (Use Class B1a) to 24no. apartments (Use Class C3).

Refused April 2019.

Consultations & Notification Responses

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, two objections have been received as a result of this. One objection was received from the building management company for Princess Court (Your Housing Group), representing the views of the residents of the 50 flats of the building.

The objections concern potential noise and odour issues and the impact of these upon residential amenity of surrounding residents, as well as the visual impact of the structure, particularly in relation to the use of the courtyard by residents as a gathering area to exercise.

Environmental Health - Raised no concerns about the principle of the flue and advised that if the application were to be approved, a condition should be attached to agree a management strategy to assess and control fumes, vapours and odours, and a condition for a scheme to control the acoustic breakout of any plant, equipment and servicing the flue and associated plant.

Policy

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

- Policy JP-Strat2 - City Centre
- Policy JP-P1 - Sustainable Places
- Policy JP-P2 - Heritage

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

- Policy SP1 - Spatial Principles
- Policy CC7 - Mixed Use Development
- Policy CC9 - Design and Heritage
- Policy EN1 - Design Principles and Strategic Character Areas
- Policy EN3 - Heritage
- Policy EN16 - Air Quality
- Policy DM1 - Development Management

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

- Policy DC10 - Food and Drink uses
- Policy DC18 - Conservation Areas

- Policy DC26 - Development and Noise

National Planning Policy Framework (NPPF)

- Chapter 12 - Achieving well-designed and beautiful places
- Chapter 16 - Conserving the Historic Environment

Planning (Listed Buildings and Conservation Areas) Act 1990

Issues

Principle of the Development

The commercial unit in question has been vacant since 2018 and a viable fume extraction option is required to optimise the attractiveness of the unit.

The presence of residential properties above the unit and around the internal courtyard within which the flue would be located, would be unduly harmed by the position of the installed flue to the detriment of the residential amenity of the upper floor apartments and the harm caused would not be outweighed by the benefits of bringing the unit back into use.

The principle of the development is therefore not acceptable in this case.

Noise and Odour Impacts

Core Strategy policy DM1 (Development Management) requires the Local Planning Authority to assess effects on amenity, including noise, vibration, and air quality.

UDP policy DC26.1 (Development and Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

The proposal has been reviewed by Environmental Health who has determined that through a suitably worded condition, the noise from the flue can be appropriately attenuated.

An extraction statement was also submitted to provide details regarding how any odour related impact upon the amenity of residents mitigated.

Whilst further information is required in respect of odours, Environmental Health are satisfied that this can be dealt with by way of planning condition and would not have an unduly harmful impact on residential amenity.

Impacts on Residential Amenity

Core Strategy policy SP1 (Spatial Principles) states that proposals should create well designed places which enhance or create character, make a positive contribution to the health, safety, and well-being of residents, consider the needs of all members of the community, and protect and enhance the built environment.

Policy DM1 states that all development should have regard for effects on amenity, including privacy and light.



Proposed elevation ('View from 'A')

The proposed flue structure would run up from the first floor or the building to the fifth floor. On the second, third and fourth floor, there are windows for residential properties that face out on to the internal courtyard area.

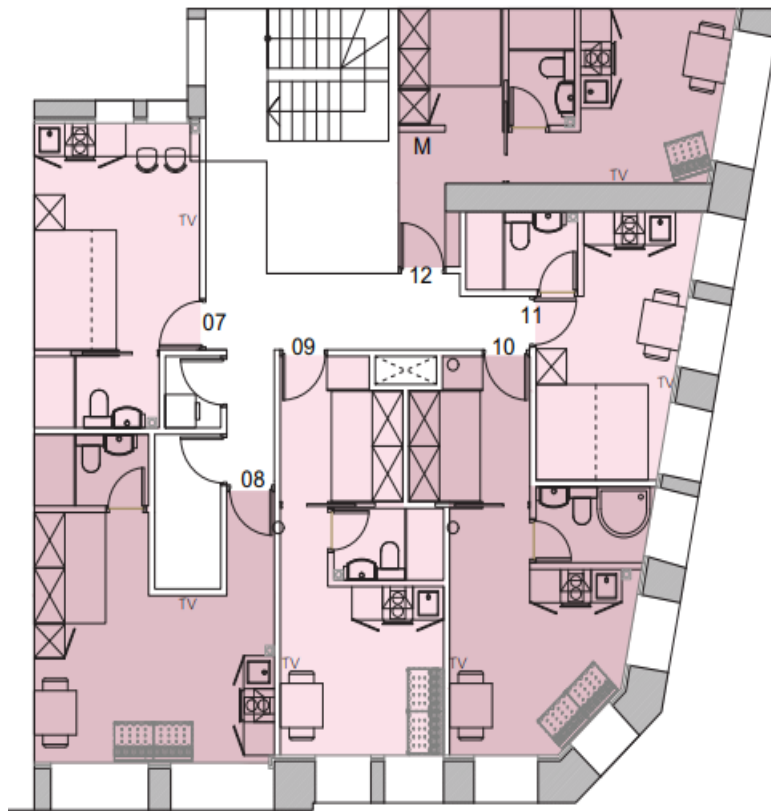


Existing elevation

As can be seen in the drawings above, the flue structure is set 1.5m away from the residential windows, located on the other side of the windows to the internal staircase, rather than abutting the residential windows directly. The structure of the flue and enclosure is 600mm by 600mm in width and depth, which would result in an overly large and bulky feature.

The flue and brick enclosure would cut through the existing balcony structure at fourth floor level, which would add to the incongruous appearance of the structure.

As can be seen from the internal floor plan below, submitted under prior approval application 112399/P3OPA/2016, there are two windows that provide natural light into the residential properties at 65 Whitworth Street that face out on to the courtyard.



Second Floor

Internal floorplan from prior approval application 112399/P3OPA/2016

Given the relatively limited gap, together with the limited window arrangement for the affected apartments, it is considered that the proposal would be overbearing and form an obtrusive feature to these residential apartments along with a loss of outlook.

This would have an unduly harmful impact on the residential amenity of the apartments which would be contrary to policies SP1 and DM1 of the Core Strategy.

Visual Amenity

SP1 (Spatial Principles) states that proposals should create well designed places which enhance or create character and protect and enhance the built environment.

DM1 (Development Management) states that development should consider the impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development, as well as appropriate siting, layout, form, massing, materials and detail.

It has been proposed to cover the extraction flue with imitation white glazed brickwork that could match the surrounding brickwork. This would assist in blending the flue into the façade of the building.

Notwithstanding this, the siting, scale and massing of the flue is considered to be an unacceptable visual intrusion into an already restricted space and outlook for residents.



Internal courtyard

It is considered that in the proposed location, the proposed flue would form an incongruous and obtrusive feature that would read as an awkward addition which would cause significant visual amenity harm for surrounding residents. It would particularly significantly impact upon the views enjoyed by 3no. residential apartments in 65 Whitworth Street who's windows face out on to the courtyard, as their view will be noticeably obstructed by this bulky, incongruous, poorly sited feature.

The objections received from the neighbouring Princess Court, including from the building management company, which represents the views of the residents of the 50 flats in the building, are noted. These stated that the internal courtyard area is used by residents regularly as a gathering area to both exercise and socialise.

It is not considered that the installation of the flue would impact on the ability of residents to socialise in this space.

In the current location, the proposal cannot be supported by the Local Planning Authority, due to the proposal being contrary to policies SP1 and DM1 of the Core Strategy, as well as JP-P1 of Places for Everyone.

Impact on Heritage

The building in question is not listed and is a non-designated heritage asset.

The building is located within the Whitworth Street Conservation Area.

Whilst there are 2no. Grade II* listed buildings located across the site on the Princess Street elevation, the proposed development in question is situated entirely to the rear courtyard of the building and so the proposals are not considered to be within the setting of these Grade II* listed buildings.

For the same reason, the development is considered to have minimal impact upon the setting of Whitworth Street Conservation Area, due to the area the works are in being not a significantly visible area within the conservation area.

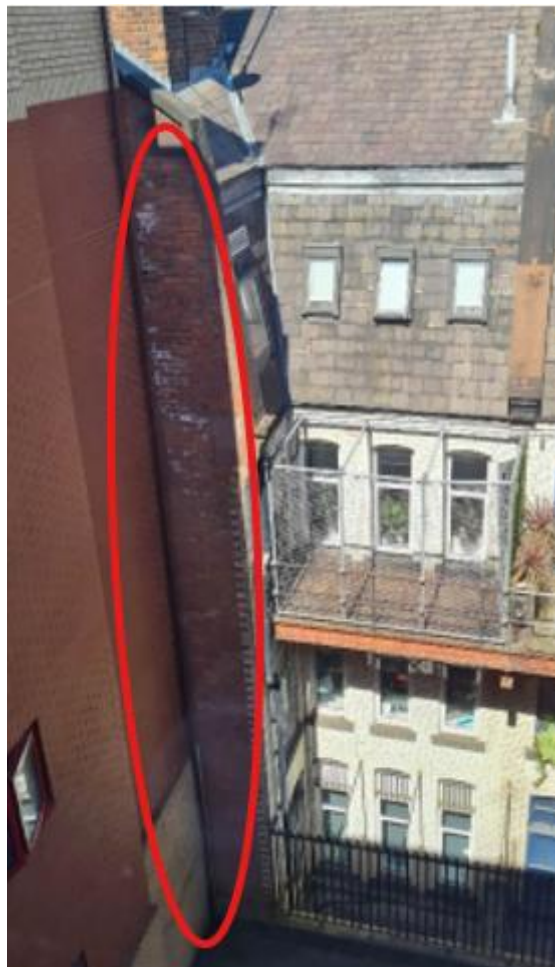
Consideration of Alternatives

The Local Planning Authority have engaged with the applicant and their representatives throughout the pre-application process and through determination period of the planning application in order to try and come to an acceptable solution.

At the first point of contact, the view of the Local Planning Authority was that instead of making external alterations/interventions of the stone façade of the commercial unit, facing out onto both Whitworth Street and Princess Street, which would have resulted in more visible interventions, that the preference would have been to locate some form of solution in the internal courtyard area at the back.

Through discussions with the applicant and their representatives, it soon became clear that there were significant challenges with this approach. The actual land ownership of the property in question only covers a very small area of the internal courtyard, leaving very little space to work with within the boundaries of the property.

The Local Planning Authority advised the applicant during pre-application discussions, that the only acceptable location the LPA could see a flue structure of this size and mass being acceptable, would be if it were sited in a recessed wall element, as seen in the photo below.



Recessed wall element belonging to neighbouring property

This area belongs to the neighbouring property, Princess Court. The applicant has stated that they have engaged with the neighbouring property and provided evidence to demonstrate this. The neighbouring property has not agreed to allow this structure to be built within their property boundaries however, which means that this proposal cannot go forward in that location.

If sited in an area such as the recessed element of the courtyard mentioned above, the visual amenity impact of the structure could have been mitigated significantly as it would have appearance as a less awkward sited and incongruous feature.

Conclusion

Odour and noise can be dealt with via the attachment of appropriate conditions to an approved application. However, the siting and scale of the flue would have an overbearing impact on adjacent properties together with resulting in a loss of outlook from these properties.

The flue would therefore have an unduly harmful impact on residential and visual amenity.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

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

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

Recommendation: Refuse

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner at both a pre-application stage and during the determination period of the application. In determining this application, officers have assessed the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. The issues identified have not been resolved and so the application has been refused within the determination period of the application.

Reasons for recommendation to refuse

- 1) The installation of the flue, by virtue of its siting, scale and relationship to adjacent residential properties would result in a bulky, overbearing and obtrusive feature together with a loss of outlook. This would have an unduly harmful impact on the residential and visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and policy JP-P1 of the Places for Everyone Plan and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Flat 33, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 41, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 11, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 13, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 15, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 30, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 206, 115 Princess Street, Manchester, M1 6JB
Flat 302, 115 Princess Street, Manchester, M1 6JB
Flat 105, 115 Princess Street, Manchester, M1 6JB
Flat 306, 115 Princess Street, Manchester, M1 6JB
Flat 47, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 1, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 12, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 44, Princess Court, 117 Princess Street, Manchester, M1 7AG
EE Pico Cell 1587312, Communication Station At The Junction Of Whitworth Street And Princess Street, Whitworth Street, Manchester, M1 3NY
Flat 10, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 3, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 205, 115 Princess Street, Manchester, M1 6JB
Flat 304, 115 Princess Street, Manchester, M1 6JB
Flat 16, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 37, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 38, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 29, Princess Court, 117 Princess Street, Manchester, M1 7AG
61 - 63 Whitworth Street, Manchester, M1 3NY
Flat 10, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 25, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 42, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 101, 115 Princess Street, Manchester, M1 6JB
Flat 8, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 405, 115 Princess Street, Manchester, M1 6JB
Flat 303, 115 Princess Street, Manchester, M1 6JB
Flat 204, 115 Princess Street, Manchester, M1 6JB
Flat 202, 115 Princess Street, Manchester, M1 6JB
Flat 7, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 12, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Victoria House, 119 Princess Street, Manchester, M1 7AG
Flat 20, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 5, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 6, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 26, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 16, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 23, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 32, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 403, 115 Princess Street, Manchester, M1 6JB
Flat 103, 115 Princess Street, Manchester, M1 6JB
Flat 201, 115 Princess Street, Manchester, M1 6JB
Flat 5, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 40, Princess Court, 117 Princess Street, Manchester, M1 7AG

Flat 9, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 43, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 14, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 34, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 31, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 106, 115 Princess Street, Manchester, M1 6JB
Flat 49, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 406, 115 Princess Street, Manchester, M1 6JB
Flat 305, 115 Princess Street, Manchester, M1 6JB
Flat 3, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 6, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 19, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 1, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 2, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 4, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 35, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 45, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 36, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 46, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 2, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 301, 115 Princess Street, Manchester, M1 6JB
Flat 104, 115 Princess Street, Manchester, M1 6JB
Flat 401, 115 Princess Street, Manchester, M1 6JB
Flat 8, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Princess Court, 117 Princess Street, Manchester, M1 6JB
Flat 7, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 28, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 39, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 9, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 13, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 14, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 24, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 21, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 102, 115 Princess Street, Manchester, M1 6JB
Flat 402, 115 Princess Street, Manchester, M1 6JB
Basement And Ground Floor, 61 - 63 Whitworth Street, Manchester, M1 3NY
Flat 22, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 404, 115 Princess Street, Manchester, M1 6JB
Flat 17, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 203, 115 Princess Street, Manchester, M1 6JB
Ground Floor, Victoria House, 5 Samuel Ogden Street, Manchester, M1 7AX
Victoria House, 5 Samuel Ogden Street, Manchester, M1 7AX
Flat 27, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 18, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 11, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 15, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 48, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 50, Princess Court, 117 Princess Street, Manchester, M1 7AG
Flat 4, Princess Court, 117 Princess Street, Manchester, M1 7AG

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - Whitworth Street Conservation Area 1985

Area Team Boundary - Name: CENTRAL