

LS/01/n2753

Manchester City Council
P O Box 532
Town Hall
Manchester
M60 2LA

22nd July 2025

Dear Sir/ Madam

Planning Application under Section 73 of the Town and Country Planning Act (1990) to Vary Condition 4 pursuant to application ref: 077343/JO/2005/S1 at The Great Central, Mayfair Court, 306 Wilmslow Road, Manchester, M14 6NS

nineteen47 is instructed by JD Wetherspoon plc [the 'Applicant'] to prepare and submit a planning application under Section 73 of the Town and Country Planning Act to modify a planning condition to extend the operational hours of The Great Central, Wilmslow Road, Manchester [the 'Application Site']. This will be achieved through the variation of Condition 4 pursuant to Application ref: 077343/JO/2005/S1 which permitted the variation of condition 9 of planning permission 059501/FO/SOUTH/00 (granted in March 2021 for the erection of a 4-storey block of 41 self-contained flats and a part single/part 5 storey block comprising Class A1 (shop) or A3 (food and drink), which permitted a change in opening hours from, 8.00 a.m. to 11.30 p.m. Sunday to Thursday and 8.00 a.m. to 0000 Friday and Saturday, to 0800 hours to 0000 hours Sunday-Thursday and 0800 hours to 0100 hours Friday and Saturday.

In support of this application, the following information is submitted alongside this supporting letter:

- Application Forms and Certificates
- Noise Impact Assessment

The application fee of £586 plus the Planning Portal's administration fee has been paid via the planning portal.

Background

This application relates to part of the ground floor of a mixed development, comprising commercial and residential uses on the west side of Wilmslow Road.

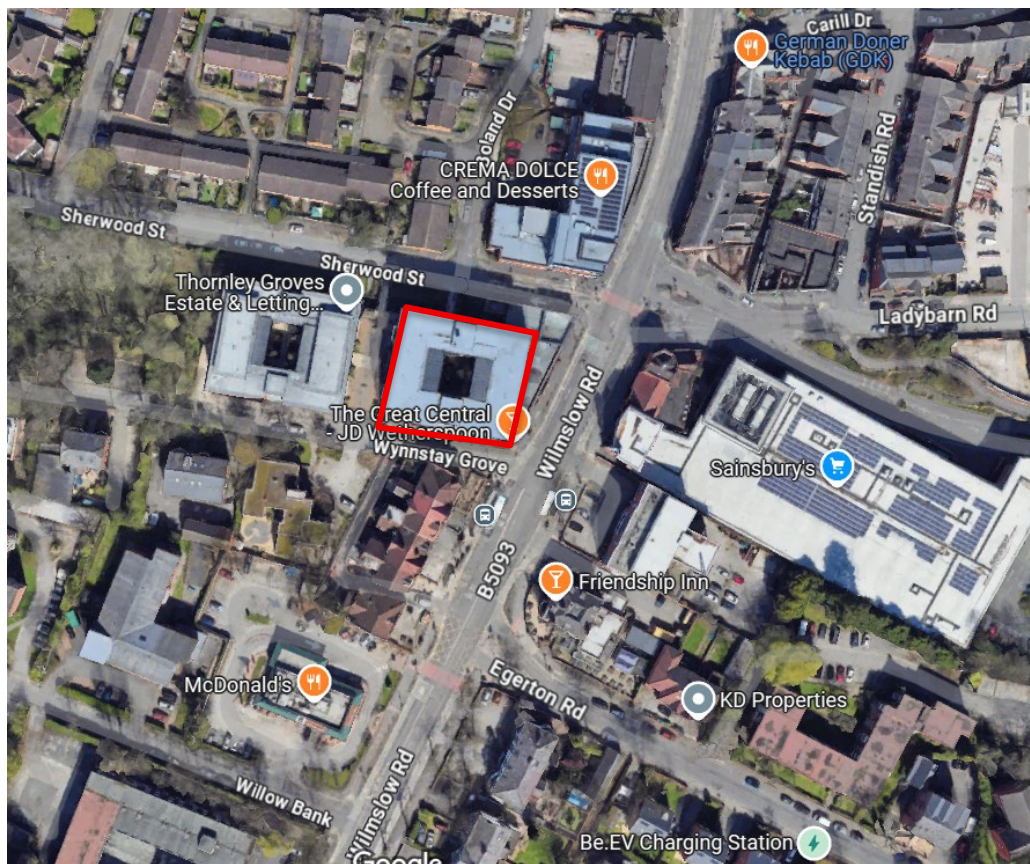


Figure 1 – Site Location (Source Google Maps)

The Site lies between Sherwood Street and Wynnstey Grove, within the Fallowfield District Shopping Centre. The centre is primarily concentrated along the Wilmslow Road frontage, with additional commercial activity extending onto Wilbraham Road and Moseley Road. Behind these commercial frontages, the area is predominantly residential, with some non-residential uses. Opposite the Site, across Wilmslow Road, are additional commercial premises, including a supermarket.

Immediately to the north of the Site is a commercial unit, while residential accommodation is located directly above, which is considered to be the nearest sensitive receptor location as set out in the Noise Impact Assessment which has been submitted as part of this application. A commercial parade of shops is located immediately to the south of the Site, across Wynnstey Grove, with residential development situated behind it.

Relevant Planning History

In terms of the use of the ground floor premises as a public house, in March 2001 planning permission reference 059501/FO/SOUTH1/00, was granted for:

The erection of a 4 storey block of 41 self-contained flats and a part single/part 5 storey block comprising Class A1 (shop) or A3 (Food and drink) on ground floor with 38 self-contained flats over with associated works including parking, landscaping and cycle path.

Condition 9 attached to the consent related to opening hours, and stated that any A3 (food and drink) use of the premises shall not be open outside the following hours: Sunday to Thursday, 8.00 a.m. to 11.30 p.m. Friday and Saturday, 8.00 a.m. to midnight.

In March 2006 a Section 73 application was granted for the Variation of Condition 9 attached to planning permission 059501/FO/SOUTH/00, to vary the hours of opening to Midnight to Sunday to 0800 hours to 0000 hours Sunday-Thursday and 0800 hours to 0100 hours Friday and Saturday (ref: 077343/JO/2005/S1).

More recently in 2022, a second Section 73 application was submitted to further vary the opening hours of the public house (now condition 4) to 8.00 a.m. to 00.30 a.m. Sunday to Thursday and 8.00 a.m. to 1.30 a.m. Friday and Saturday (ref: 133328/JO/2022). The application was refused as the extension of the opening hours was considered to constitute a potential noise nuisance and result in disturbance to the residential amenity of adjoining and nearby residential accommodation late at night, by virtue of the potential increased noise and movements associated with the comings and goings of customers from the Site.

It is noted that that the previously refused application to vary condition 4, did not submit any supporting evidence to justify the change in opening hours such as a noise assessment. Furthermore, Environmental Protection raised no objection to the scheme from a noise perspective and recommended a condition in respect of external plant noise.

Having carefully considered the planning history of the Site, the Applicant has commissioned a Noise Impact Assessment to review the noise environment with a view to justifying a variation to the approved hours as is set out below.

Proposed Variation

As referenced above, JD Wetherspoon wishes to extend the operating hours of the Great Central Public House to close half an hour later each day from that permitted, as follows:

- 0800hrs to 0030hrs Sunday to Wednesday.
- 0800hrs to 0130hrs Thursday to Saturday.

In order to undertake the aforementioned revision, it is necessary to vary Condition 4 of planning permission 077343/JO/2005/S1. The revised Condition 4 should, therefore, read as follows:

Any sui generis (previously A4) public house use of the premises shall not be open outside the following hours:

Sunday to Wednesday, 8.00 a.m. to 00.30 a.m. Thursday to Saturdays, 8.00 a.m. to 1.30 a.m.

Assessment of the Proposals

Section 38(6) of the Planning and Compulsory Purchase Act states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the planning policy context for this application is provided by the Core Strategy (July 2012) and the Places for Everyone Joint Development Plan (adopted in 2024). The National Planning Policy Framework 2024 (NPPF) is considered a "material consideration" in planning decisions, meaning it must be taken into account when evaluating planning applications, especially when local plans are absent, outdated, or silent on a particular issue.

The proposals to extend the hours of opening are considered below within the context of this policy framework.

General Principle of Development

This Section 73 Variation of Condition proposes a modification to the previously approved Section 73 consent as referenced above. As evident from the planning history, the main issues associated with the proposed amendments to the approved scheme are considered to be the potential impact of noise and disturbance to the amenity of neighbouring residents in the immediate vicinity and the risk of anti-social behaviour.

In terms of the policy context, the Site is located within Fallowfield District Centre and Policy C2 of the Core Strategy emphasises that development should support thriving district centres and the prioritisation of key 'visitor' services, including food and drink.

Policy C10 of the Core Strategy encourages developments that will support the evening economy which will in turn contribute to the vitality of district centres and support a balanced and socially inclusive evening/night-time economy.

The cultural significance of promoting night time economy is further emphasised within the supporting text of the Places for Everyone Joint Development Plan, with paragraph 9.20 making reference to how continued enhancement of cultural opportunities is central to placemaking across Greater Manchester. The importance of culture and the night time economy should be reflected in the way in which cities, towns and neighbourhoods develop, with individual developments contributing towards this.

The public house already successfully contributes to the vitality of Fallowfield District Centre and the nighttime economy and the proposal to extend the opening hours of the existing Public House, meets the objectives of expanding key visitor services, including leisure venues within Manchester which supports the nighttime economy, in accordance with Policy C2 and C10 of the Core Strategy. Furthermore, the precedent of late night opening hours for similar uses has also been set with a number of nearby premises having similar opening hours to that proposed as part of this application. For example Handle Bar, located less than 300m north of the Site on Wilmslow Road, which is open until 1.30am most nights and 256 Wilmslow Road, less than 200m north of the Site, where the opening hours varies from 1.30am – 3am.

Residential Amenity

As noted from the planning history of this site, potential impact upon residential amenity has been a particular sensitivity when previously seeking to extend the hours of opening. Within the Officer's Report of the previous Section 73 refusal (ref: 133328/JO/2022), it states that:

Whilst Environmental Protection officers have not raised any issues with the additional hours, beyond requesting a condition in relation to the acoustic insulation of any external plant, it is considered that on its planning merits the additional activity associated with the extension of opening hours would give rise to impacts which lead to significant adverse effects to the residential amenity of local residents.

The Officer's Report further states that the primary issue in terms of residential amenity is that the extension of the opening hours will result in patrons leaving the premises at a time when residents

could reasonably expect not to be disturbed and there is the potential for noise/disturbance to spread into the surrounding residential areas.

It is worth noting that the refused Section 73 application also raised concerns regarding licencing and issues that could potentially arise which would have a detrimental impact on the Council's licensing objectives. It should be emphasised that licencing is a separate matter to planning and the planning application to vary the opening hours should be evaluated on planning merit only at this stage.

In terms of the policy context, Policy SP1 of the Core Strategy states that new developments should Make a positive contribution to neighbourhoods of choice, which includes making a positive contribution to the health, safety and wellbeing of residents. Policy DM1 of the Core Strategy goes on to state that all development should have regard to the effects on amenity including noise.

Policy C10 of the Core Strategy states that redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted, subject to the following considerations:

1. Cumulative impact – in areas where there is already a concentration of bars (A4), and other night-time uses which are detrimental to the character or vitality and viability of the centre, there will be a presumption against further facilities.
2. Residential amenity – the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance.

Firstly, when considering the cumulative impact, the proposed extension of opening hours will not result in any cumulative impact detrimental to the character, vitality, or viability of the district centre. While it is acknowledged that the area contains a mix of bars (Use Class A4) and other evening and night-time economy uses, the character of the district centre is already well-established as a central location for such activities. This proposal does not introduce a new use but modestly extends the hours of an existing, well-managed premises that already operates within its surroundings.

Furthermore, because the use of the Site as a public house is already established and there is no increase in the number or density of licensed venues, the proposal does not contribute to any measurable intensification of activity in the area. The proposed extension to the opening hours is considered to be a minor modification to the opening hours, rather than a material change in the overall night-time economy. As such, the extension of opening hours will have no adverse cumulative impact, and represents a proportionate and appropriate enhancement to the business's offer, aligned with the centre's established character and supporting its ongoing vitality, in accordance with Core Strategy Policy 10.

Secondly, when considering potential noise issues of these proposals and the impact on residential amenity, a Noise Impact Assessment has been undertaken by Dragonfly Consulting and submitted as part of this application. This Assessment analyses the noise impact on the surrounding residences from patrons, as a result of the proposed new trading hours extension at the Public House.

As the application covers extension of the current trading hours, the only potential noise impact arising from the proposed trading time change would therefore be from patrons leaving late at night. This is due to no new noise sources being introduced by this proposal. Furthermore, there would be no change to the operation of specific noise sources associated with mechanical services plant, as this is already operated continuously under the current consent.

The results of the noise assessment confirmed that the proposed extension of operating hours is predicted to give, at worst, an increase of 0.7dB in ambient noise levels. The IEMA impact scale categorises a noise increase impact of less than 2.9dB as "None/NotSignificant". It is therefore considered that the predicted noise impact from the extension in opening hours, will fall below the LOAEL.

As such, the results of the noise measurement survey confirm that the noise environment at the nearby sensitive receptor locations is dominated by traffic movements and general street activity at the front of the Public House.

Overall, the Noise Impact Assessment concludes that the noise impact associated with extending the existing trading hours at the premises, is expected to be low, providing no significant effect. When specifically considering the noise from the new operating hours, the assessment found that between 00:00–00:30 and 01:00–01:30 the noise increase is minimal.

It is considered that the Noise Impact Assessment demonstrates that the proposed variation to the hours of opening will not have an adverse impact upon the nearest residential properties which are located in the immediate vicinity. Furthermore, the Applicant has significant experience in operating pubs in locations which are more closely related to residential properties and have measures in place to manage the operation of the Public House to ensure there are no adverse effects on amenity.

As such, is considered that the proposed amendments to the proposed opening hours are acceptable and will not have an adverse impact of nearby residents or result in an increase in antisocial behaviour. Overall, the proposed variation of the opening hours will not result in adverse noise impacts in accordance with policies SP1, DM1 and C10.

Summary

This Section 73 planning application seeks to vary Condition 4 of application ref: 077343/JO/2005/S1 in order to extend the operating hours of the existing public house. A Noise Impact Assessment has been submitted as part of this S73 application which concludes that the additional period of opening proposed will have no significant negative impact on the amenity of nearby residents.

The proposed alterations are considered to be in accordance with relevant Development Plan policies and it is respectfully requested that the application is supported.

We trust the following information is satisfactory, however please do not hesitate to get in touch should you require further information.

Yours faithfully

