MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141551/LO/2024 and 141695/FO/2024
Date registered valid:	4 March 2025
Proposal:	141551/LO/2024 - Listed building consent for fit out of top floor to extend public area of restaurant together with installation of new plant. 141695/FO/2024 – Use of the mezzanine floor and installation of outdoor air-conditioning units together with external alterations.
Address:	6A Oxford Road, Manchester, M1 5QA
Ward(s):	Deansgate Ward
Applicant:	Mr Hassan Mackadam Lollypop Limited
Agent (if any):	Andrew Burns Atelier MB
Case officer:	Emily Booth Tel: 0161 234 4193 Email: emily.booth@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	25 April 2025

Application details

Type of application: Listed Building Consent and Planning Permission

Development type: Listed building alteration and Minor Works

Date of site visit: 3 April 2025

Standard consultations:
141551/LO/2024 Printed: 7 March 2025 Expired: 28 March 2025
141695/FO/2024 Printed: 7 March 2025 Expired: 28 March 2025

Neighbour notifications
141551/LO/2024 Printed: 7 March 2025 Expired: 28 March 2025
141695/FO/2024 Printed: 7 March 2025 Expired: 28 March 2025

Site notice
141551/LO/2024 Posted: 14 March 2025 Expired: 4 April 2025
141695/FO/2024 Printed: 7 March 2025 Expired: 28 March 2025

Press advert
141551/LO/2024 Published: 11 March 2025 Expired: 1 April 2025
141695/FO/2024 Printed: 7 March 2025 Expired: 28 March 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This application relates to an existing restaurant located at 6A Oxford Road within the City Centre. The shop unit is within the Dance House which is a Grade II listed building that houses commercial units at ground level and the Northern Ballet School on the upper floors. The building is bounded by Oxford Road, Hulme Street, Measham Mews and Chester Street.

It was originally used as a cinema and was designed in Art Deco style with a cream faience clad façade. It is significant as an art deco example of an entertainment venue with a parade of shop units and has a high standard of design with decorative tiling.

The unit subject of this application extends to the corner at first floor with a regular pattern of windows openings. The interior first floor spaces have little decoration and are open plan spaces. There are beams and simple cornicing in existence.

The rear of the building is less decorative than the other elevations and contains few original features and a fair amount of plant and equipment but benefits from no longer having external flues. The environment is also poor due to the car park entrance to the adjacent residential apartment being on this back street.

Historically plant has been installed on the rear elevation due to the strength of the roof and the use as a ballet school which is sensitive to noise.

The site is not located in a Conservation Area.

The site is opposite the Circle Square mixed-use neighbourhood (formerly the BBC site) to the front and a large apartment block called The Quadrangle to the rear of the site. University buildings are also nearby to the application site, as well as a hotel and other commercial premises. Oxford Road is a busy bus corridor and gateway route linking South Manchester with the City Centre.

The site is also within Corridor Manchester, which is home to numerous higher education institutions and knowledge-based industries.

The ground floor of 6A Oxford Road was refurbished in 2014 and a new fully glazed shopfront was installed (application referenced 106403/FO/2014/C1 and 106404/LO/2014/C1), in line with the shopfront strategy that was approved for the whole building in 2008

Applications referenced 124701/FO/2019 and 124702/LO/2019 were granted permission in December 2019 for the use of the ground and first floor of 6A Oxford Road as a restaurant/cafe (Use Class A3 (now Class E) with ancillary storage at basement level, together with installation of new external plant and new louvres in lieu of windows on the rear elevation and internal fit out works.

Description of development

Planning Permission and Listed Building Consent is sought for the extension of the restaurant use into the mezzanine floor of the unit.

Planning permission is sought for:

- The use of the mezzanine floor as an extension to the restaurant.
- Installation of 2no. condensing units on the rear elevation.

Listed Building Consent is sought for:

- The creation of a restaurant seating area with ancillary kitchen areas comprising the installation of partition walls for WC areas and fire separation for the plant room and new fitted furniture. There would be some new openings to internal walls.

- The replacement of existing condensing units with new condensing units on the rear elevation.

Consultations & Notification Responses

Publicity -

142064/FO/2025 - The application was advertised in the local press as affecting the setting of a listed building and affecting the setting of a conservation area, a site notice was displayed on site and letters were sent to surrounding occupiers to inform them of the proposals - No responses have been received.

142065/LO/2025 - The application was advertised in the local press as an application for listed building consent, a site notice was displayed on site and letters were sent to surrounding occupiers to inform them of the proposals - No responses have been received.

Highway Services - Confirmed that the proposals are acceptable. Requested details of the fit out.

Environmental Health - Advised that the submitted Noise Impact Assessment (Lighthouse Acoustics, 3 March 2025) can be accepted. Part a) of the condition has therefore been addressed by this report.

Issues

Issues and Policy

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Saved Policy DC26 (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.

Places for Everyone -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-P 1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-P 2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

National Policy

Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings. Development decisions should, therefore, accord with

the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 210 states that in determining planning applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

(b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

(c) the desirability of new development making a positive contribution to local character and distinctiveness; and

(d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 207 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 213 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Visual Amenity and the impact on the Character and Appearance of the Heritage Assets affected -

The area of the building affected by this development is of lesser significance compared to other areas of the building. It has a simple appearance with plain plastered and painted beams and simple cornicing. As it is a corner unit the front wall is curved, and the space has large windows.

The proposed partition that would be installed at the top of the stairs to provide fire separation between the customer area and the plant room will abut an existing beam, but the beam would be visible at both sides. This would have a minor adverse impact but relates to a small area of the floor, and to an area of low significance and is necessary to provide fire separation.

The proposed WC 'pod' would be self-contained and would not affect the ceiling including the beams and is a reversible alteration and so would thereby have a neutral impact.

The new internal openings would relate to later non original walls and the impact on significance is also considered to be neutral.

New fitted furniture would be set below windows and would be reversible, this would have neutral impact on significance.

New ductwork would be sited on cable trays maintaining views of the ceiling. The erection of two additional air-conditioning condensing units to the rear would increase the number of units at the rear of the building. Whilst there would be an increase in the number of condensing units to the rear with associated penetrations though the fabric, the rear elevation is secondary and of lesser aesthetic significance than the other three elevations. Any ceiling penetrations should be limited to the minimum required.

A condition will be applied to the listed building consent to require screening to help mitigate the visual impact of the external equipment and louvres.

A condition will also be applied to the listed building consent to require details of fixings to ceilings for lighting, electrical and mechanical equipment to submitted for approval.

The works would cause minor less than substantial harm to the listed building due to the removal of small areas of low significance original fabric, the incongruous appearance of the air-conditioning units and increased louvres and the internal partition and ductwork but the proposed works are considered minor interventions, and the appearance of the units can be addressed by the screening required by condition. The minor adverse impact from the proposals would be offset by the public benefits of re-using vacant space within this listed building contributing to its future and the increase in jobs that would be provided to serve the space.

These public benefits are required to outweigh the less than substantial harm caused by the small alterations to the original fabric of the affected heritage asset by the above-described works and these works are consistent with paragraphs 210, 212 and 215 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

Residential Amenity -

This is a critical issue, as amongst other things, it examines the impact that the scheme would have on nearby and adjoining occupiers. It includes the consideration of issues

such as impact on noise and disturbance. The closest residential accommodation is adjacent to the rear of the building within the adjacent Quadrangle development.

The condition recommended by the City Council's Environmental Health Service would be applied to the planning application to ensure that the equipment will not cause disturbance.

The works would therefore comply with the Core Strategy for the City of Manchester, in particular Polices SP1 and DM1 and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Highway Safety -

The air conditioning condensers would project over an unadopted highway (Measham Mews) and would have a headroom clearance of 3400mm.

The works would therefore comply with the Core Strategy for the City of Manchester, in particular Polices SP1 and DM1.

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 polices 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: Approve -141695/FO/2024
Approve - 141551/LO/2024

Article 35 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application and discussions regarding amendments to the proposals that have allowed that application to be approved.

Condition(s) to be attached to decision for approval

141551/LO/2024

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

The location plan received by the City Council as local planning authority on 20 November 2024

The drawings referenced:

2334 201 Rev T4
2334 202 Rev T3
2334 203 Rev T2
2334 210 Rev T2
2334 211 Rev T2
2334 212 Rev T2
2334 214 Rev T2
2334 218 Rev T3
2334 219 Rev T2
2334 220 Rev T1

received by the City Council as local planning authority on 20 November 2024

The Method Statement prepared by Brawn received by the City Council as local planning authority on 20 November 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, EN1, SP1 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

3) Notwithstanding the information hereby approved, full and final details of the screens to be installed to conceal the external equipment hereby approved and the additional louvres hereby approved shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of the externally mounted equipment hereby approved. The approved screens shall be installed prior to the completion of the installation of the externally mounted equipment hereby approved and prior to the operation of any of the equipment and shall be maintained for as long as these approved items are in situ.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

4) Full and final details of the fixings to ceilings for lighting, electrical and mechanical equipment shall be submitted to and approved in writing by the City Council as local planning authority prior to the installation of the mechanical equipment hereby approved. The approved details shall be implemented fully in accordance with the approved information and shall be fully completed prior to the completion of the development.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

141695/FO/2024

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 following drawings and documents:

The location plan received by the City Council as local planning authority on 9 December 2024

The drawing referenced 2334 220 Rev T1 received by the City Council as local planning authority on 9 December 2024

The Plant Sound Assessment Report Statement prepared by Lighthouse Acoustics received by the City Council as local planning authority on 4 March 2025

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, EN1, SP1 and DM1 of the Core Strategy and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

3) Notwithstanding the details submitted with the application, prior to the commencement of any works to the rear elevation the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

(a) Samples and specifications of equipment and louvre screens

(b) jointing and fixing between the screens and the elevation.

(c) a strategy for quality control management.

(d) Submission of a Construction Environmental Management Plan (CEMP) (Materials) to include details of the strategy for securing more efficient use of non-renewable material resources and to reducing the lifecycle impact of materials used in construction and how this would be achieved through the selection of materials with low environmental impact throughout their lifecycle.

The approved materials shall be used in the construction of the development hereby approved.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies EN3, CC9, SP1 and DM1 of the Core Strategy.

4) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the Plant Sound Assessment Report Statement prepared by Lighthouse Acoustics received by the City Council as local planning authority on 4 March 2025 in order to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

b) Within 1 month of the equipment hereby approved becoming operational, a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the works conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

6 Oxford Road, Manchester, M1 5GA
10 Oxford Road, Manchester, M1 5QA
8A Oxford Road, Manchester, M1 5QA
8 Oxford Road, Manchester, M1 5QA

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
Flood Zones Type 2 (low to medium risk) -
Area Team Boundary - Name: CENTRAL