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11 March 2025

Manchester City Council,
Planning Department,
Manchester,
M60 2LA

Dear Planning,

**APPLICATION FOR EXTERNAL PLANT TO FRONTAGE AND REAR YARD
WILMSLOW PARK, UNIT 7, WILMSLOW RD, MANCHESTER, M13 0JN**

We write on behalf of Legal & General Assurance (Pensions Management) Ltd, to apply for planning permission at Wilmslow Park, Unit 7, Wilmslow Road, Manchester, M13 0JN. Permission is sought for the following:

“installation of external plant, including supply intake to front elevation”

This application is supported by the following:

- Completed Application Form
- CIL Form 1
- Site Location Plan
- Existing and Proposed Floor Plan and Elevations
- Plant Noise Impact Assessment by Noise Solutions
- Odour Assessment by Chapman Ventilation
- Equipment Schedule

The requisite fee of £578 has been paid online, together with the £70 admin fee.

APPLICATION SITE DESCRIPTION

The application relates to a ground-floor commercial unit at Unit 7, Wilmslow Park located on Wilmslow Road. The unit is on the northern side of Wilmslow Road, it is now vacant having previously been used by Tim Hortons.

The unit has an active frontage fronting Wilmslow Road. A service yard is located within the basement of the unit which is in the rear of the unit and is accessed off Hathersage Road. This access point also provides access to a public pay and display car park. The upper floors are in residential use with the surrounding units being of a similar arrangement with commercial use at ground level and residential situated above. The unit's immediate neighbours are Subway and Lidl.

The site is located within Central Manchester. The site and its immediate context are demonstrated in Figure 1.

Figure 1. Existing Site



The site has planning history dating back to 2013; a change of use application was approved in 2017 (117438/FO/2017) for a change of use from a retail (Class A1) unit to a combined use of retail shop and restaurant use. This forms the operative permission for the unit. The site's lawful use is now within Class E with no restriction to retail shop and restaurant use only. The remaining history relates to the façade and signage.

APPLICATION PROPOSALS

The application proposals seek the provision of new plant and mechanical ventilation to allow for the occupation of the currently vacant Class E unit by the incoming tenant, who will be operating under Class E(b).

The proposed plant system has been developed by the plant engineers (Chapman Ventilation) and careful consideration has been given to the demands of the internal operation, the nature of the cooking and the location of the site.

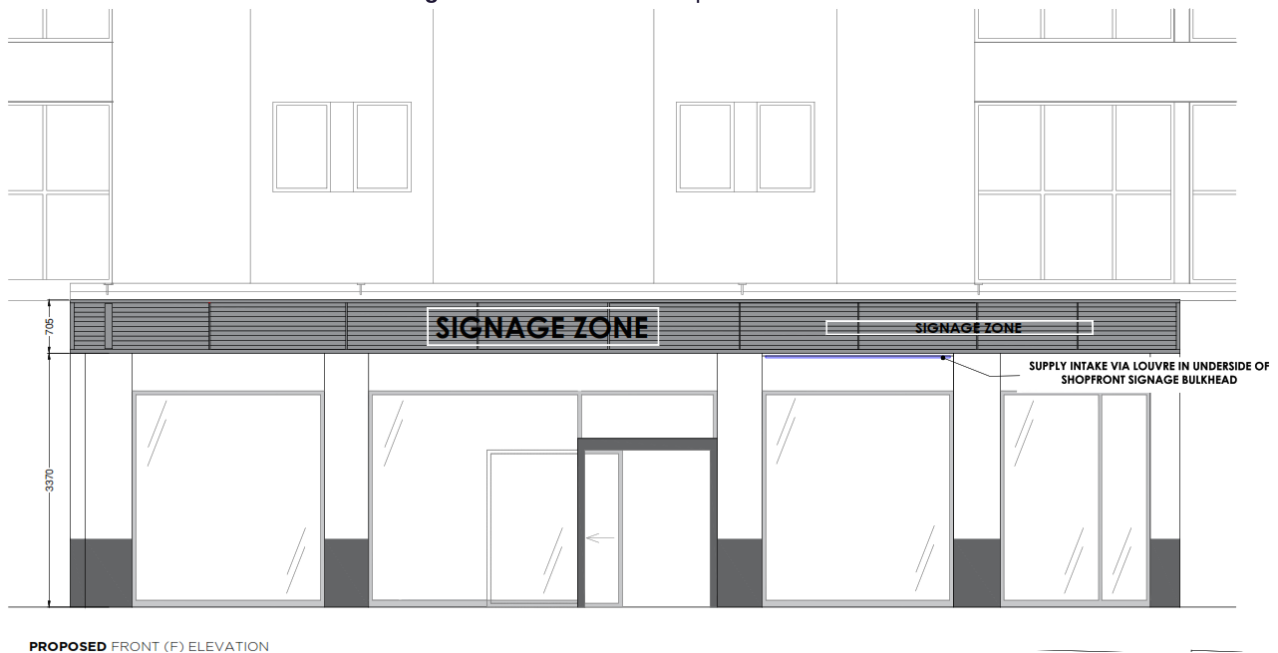
An external plant will draw air into the restaurant via an intake louvre located in the underside of the shopfront signage on Wilmslow Road. The internal kitchen extract fan will vent air into the covered ground floor service yard which is accessed from Hathersage Road via ductwork from the restaurant rear. For clarity internal alternations and installations are being built but do not require planning as they are internal alternations and do not constitute development as per section 55 of the Town and Country Planning Act.

The majority of the system is located and routed internally within the building, a total of three air conditioning condensers and two cold-store condensers will be installed in the service area behind the restaurant. As such the proposal considers the following:

- Internal supply fan and an intake louvre at Wilmslow Road

Extracts of the proposed elevations are provided in Figure 2 below.

Figure 2. Extract of the Proposed Elevations



The submission only relates to the plant at the front elevation and not to signage. A signage application will be made for the future occupier at a later date.

Full details of the proposed plant installation, including its noise and odour performance, are also demonstrated in the submitted documentation:

- Plant Noise Impact Assessment prepared by Noise Solutions; and
- Risk Assessment of Odour prepared by Chapman Ventilation.

The hours of operation that are sought on the unit are proposed from 7:00am – 11:00pm, with the exception of the cold store condenser units which will run constantly as set out in the Noise Impact Assessment. Equipment specification details are also submitted.

PLANNING POLICY SUMMARY

The Development Plan for the site includes the Manchester City Core Strategy Development Plan (2012) and the Addendum to Manchester Core Strategy (2024). The National Planning Policy Framework (NPPF) (2024) and National Planning Practice Guidance (Online, 2024) are also material considerations.

Manchester City Core Strategy Development Plan (2012)

The following policies are considered to be relevant.

- Policy SP1 – Spatial Principles
- Policy DM1 – Development Management
- Policy EC1 – Employment and Economic Growth in Manchester
- Policy EC8 – Central Manchester
- Policy CC7 – Mixed Use Development
- Policy CC9 – Design and Heritage
- Policy H5 – Central Manchester
- Policy C10 – Leisure and the Evening Economy

- Policy EN14 – Flood Risk
- Policy EN16 – Air Quality

Supplementary Planning Guidance

Consideration has been given to the following:

- Places for Everyone Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan (2024)

PLANNING AND HERITAGE ASSESSMENT

This section of the Statement demonstrates the acceptability of the application proposals in the context of the relevant planning policy outlined above.

In terms of principle, the proposed new plant will facilitate the re-occupation of the site, which will benefit the visual appearance and vitality of Central Manchester, providing a new food and drink use, which adds positively to the mixture of uses found on Wilmslow Road/ Oxford Road. Furthermore, the proposals will generate additional, local job opportunities at this site, which has been vacant since Tim Hortons ceased trading here.

The application proposals are consistent with the presumption in favour of sustainable development set out in Policy SP1, highlighting the strategic objectives of Manchester together with Policies EC1, EC8, CC9, C10 and H5 which support the vitality and viability of Central Manchester, and support the evening economy. The principle of the development should be supported.

Impact on Residential Amenity

The key policy is Policy DM 1 which outlines the General Development Principles. Point 3 outlines Development proposals must not adversely impact the amenity of existing and future occupiers.

“All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document...”

3) Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.”

The primary considerations include noise/vibration and odour impacts, which are addressed below. The other amenity aspects set out in Policy DM1 will not be impacted by the proposals, including visual privacy, outlook, sunlight, daylight and overshadowing.

The proposed duct will not obscure access to daylight or sunlight, or harmfully impact the outlook of neighbouring properties. They are also limited to the existing plant yard area located within the basement, the pay and display car park entrance and front elevation of the unit window.

In terms of noise, the application is supported by a Plant Noise Impact Assessment (NIA) by Noise Solutions Ltd, which has been prepared in accordance with Policy DM1. An environmental sound survey has been undertaken to establish the prevailing background sound pressure levels at a location representative of the sound levels outside the nearest noise-sensitive receptors to the site. Cumulative plant noise emission levels for the proposed plant have been predicted at the most affected noise-sensitive receptors and assessed following Manchester City Council’s usual requirements.

The NIA assesses the impact of the two refrigeration units and the extract duct during its proposed operating hours, which are 7am to 11pm, apart from cold store condensers, which will run permanently. The nearest receptor is identified as the residential uses above the unit.

The survey was undertaken whilst the existing equipment was not operational and therefore provides a robust assessment.

The NIA provides the following conclusion:

‘An environmental sound survey has been undertaken to establish the prevailing background sound pressure levels at a location representative of the sound levels outside the nearest noise sensitive receptors to the site. Cumulative plant noise emission levels for the proposed plant have been predicted, inclusive of mitigation measures, at the most affected noise sensitive receptors and assessed using the typical requirements of Manchester City Council and should therefore be acceptable. The assessment has demonstrated compliance with national and local policies. Therefore, noise from the plant proposals should not be a reason for refusal of planning permission’.

It further confirms that all plant and connected ducts/pipes will be resiliently isolated to reduce the risk of vibration entering the building structure and all recommendations regarding acoustic mitigation have been accepted by the applicant.

The application is therefore in accordance with Policy DM1 in terms of noise and vibration.

In terms of odour, specialist odour mitigation is proposed to tackle any odours at the source and to ensure the amenity of neighbours is protected. This has included an odour assessment, which recommends a very high level of odour control. The proposed installation meets this requirement with a high-level, vertical exhaust and includes the following mitigation:

- Canopy baffle filters used as primary filters within canopy
- UVO – ducted UV odour filtration located internally
- Double pass ESP filtration for the removal of smoke and grease
- Double Carbon filters to a dwell time of 0.6 seconds

The full specification of the above is outlined within the submitted Odour Assessment. The equipment would be installed and maintained in line with the manufacturer's recommendations, as set out within the Maintenance regime submitted.

Whilst the application relates to plant only, the proposals are further considered to be in accordance with Policy C10 of the leisure and evening economy. Part 2, places further emphasis on the amenity of residents and it is considered that the proposal will not cause unacceptable harm with regard to noise, litter, anti-social behaviour, or visual intrusion from mechanical plant, due to the size/scale of the use, operating hours, impact from deliveries, or through road safety. The use is entirely compatible with the location and would not require planning permission.

Overall, the proposals would preserve the amenity of immediate neighbours and the proposals are therefore in accordance with Policy. The application should be considered acceptable in this regard.

Design and Heritage

The application building is not situated within a Conservation Area and is not a designated heritage asset nor locally listed. Nevertheless, the application comprises equipment that is not a typical for the area and indeed as evident in the

proposed front elevation is largely screened from any public views due to its location under the existing signage bulkhead.

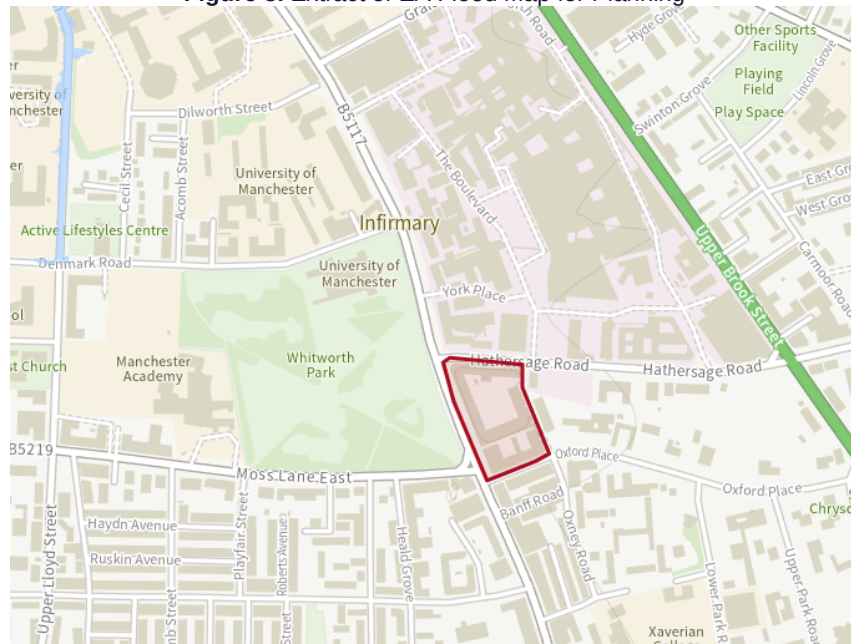
While the intake vents would be partially visible from Wilmslow Road, it would not be overly prominent or out of character with the surrounding area. Particularly given the existence of numerous Class E(b) uses in the vicinity. No architectural features or decoration that contributes to the building's character or contribution is disturbed or detracted from. The proposed installation is compatible with the location, which is the functional façade of an urban high street site.

The application should be considered acceptable in this regard.

Other Considerations

The site is not located within Flood Risk Zones 2 or 3. Notwithstanding this, there would be no harmful impacts with regard to flooding or surface water flooding. This is evident in the extract at Figure 5.

Figure 5. Extract of EA Flood Map for Planning



There will be no impact on archaeology at the site.

There is no landscaping or biodiversity at the site that would be affected by the proposals.

The equipment is located to internally of the site only. Accordingly, it would not pose a hazard to pedestrians.

There are no contamination risks with no breaking of ground proposed or any increase in the site's sensitivity.

The site falls below the de-minimis threshold for Biodiversity Net Gain and is therefore exempt.

DESIGN AND ACCESS STATEMENT

This Design and Access Statement is prepared in accordance with the guidance set out within the National Policy (2024) and is proportionate to the complexity and nature of the application which is very minor.

Land Use

The proposals seek the installation of new plant and extract equipment to meet the operational requirements of the new incoming tenant.

The proposals will assist in facilitating the occupation of the site as a restaurant under its lawful Class E use, under Class E(b) of Schedule 2, Part A of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 ("2020 Amendment").

Article 3 (1) of the Use Classes Order (1987) further confirms that:

"Subject to the provisions of this Order, where a building or other land is used for a purpose of any class specified in the Schedule, the use of that building or that other land for any other purpose of the same class shall not be taken to involve development of the land."

As such, the proposed use of the building as a restaurant does not amount to 'development' under Section 55 of the Town and Country Planning Act 1990 and should not require planning permission.

Scale and Amount

The proposals relate to the installation of new plant and louvres only.

The proposals are entirely in keeping with the scale of the building and in the context of the wider surrounding area.

There will be no increase in the scale of the building or the quantum of development at the site.

Layout

Limited changes are proposed to the internal layout of the building. The proposed layout is demonstrated on the submitted ground floor plan.

Appearance

This area is functional in appearance and already contains similar equipment, which is being considered here.

Additionally, the reoccupation of the vacant building by a new tenant will result in a visual improvement to the street scene and Town Centre.

Further proposals will be coming forward for improvements to the shopfront and new signage.

Access

No changes are proposed in regard to access.

CONCLUSION

This Planning, Design and Access Statement letter has been prepared by Firstplan on behalf of Legal & General Assurance (Pensions Management) Ltd, for a planning application at Wilmslow Park, Unit 7, Wilmslow Road, Manchester, M13 0JN. Permission is sought for the following:

"installation of external plant, including supply intake to front elevation"

This letter has demonstrated the support for the new plant and ventilation at the site, which will facilitate the reoccupation of this vacant building which will positively contribute to the area and deliver a number of clear planning benefits including local job creation and enhanced vibrancy and vitality.

Furthermore, it is considered that noise and odour can be sufficiently mitigated to ensure the plant will have no detrimental impacts on the amenity of adjoining occupiers or surrounding uses, whilst also facilitating the operation of the unit.

In addition, the works would have no harmful impact on the appearance and character of the application building or the surrounding area.

It has been demonstrated that the application proposals have been prepared in accordance with the Development Plan and National Policy, and there is no detrimental visual impact or impact on amenities, and we therefore respectfully request that planning permission be granted.

We trust that the information enclosed is sufficient to enable the Council to process and determine the application. However, should you require anything further or clarification on any point, please do not hesitate to contact me.

Yours faithfully



TOM ROBERTS
Senior Planner