

4th September 2024

Planning
Manchester City Council
Town Hall Extension
Manchester
M60 2LA

Dear Recipient,

**VARIATION OF CONDITION 7 RELATING TO OPENING HOURS
PLANNING PORTAL REF PP-13374459
ASTLEY AND BYROM HOUSE, 23 QUAY STREET, MANCHESTER**

This application is submitted on behalf of Allied London Quay Street Two Limited, in relation to the variation of condition 7 of application ref 126861/JO/2020, which relates to the property known as ABC Buildings.

The related planning application was granted on 20th August 2020 for 'Minor Material Amendment to planning permission ref:119610/FO/2018, including the replacement of rectilinear rooftop pavilion with geodesic glass dome, together with associated revised landscape layout'. The original planning consent dates to 10th July 2018.

Variation of Condition

This submission seeks to vary condition 7 of application ref 126861/JO/2020 which relates to opening hours. It states as follows:

The Leisure use (cinema) with ancillary café / bar offer (Use Class D2) shall operate between 9.30 am to 2am Monday to Saturday, and 10.00am to 1am on Sundays.

Unit 3, a gymnasium use, shall operate between 5.45am to 10.30pm Monday to Friday, with classes not commencing before 6.00am, and 7.15am to 8pm Saturday and Sunday, with classes not commencing before 7.30am.

All external rooftop terraced areas shall only be used between 8.00am and 9.00pm seven days a week, and there shall be no use of amplified sound.

The use of any other units within the development shall not commence unless and until details of proposed hours of operation have been submitted to, and approved in writing by, the City Council, as local planning authority. This includes each of the following uses:

Retail use (Use Class A1), Food and drink use (Use Class A3), Event / gallery space with ancillary retail and café use (Use Class D1).

This submission seeks to vary the element of the condition shown in **bold**, which relates to the hours of use of the rooftop area known as Deck and Dome (shown as the area with the blue edge on accompanying plan ref 23-011-LP-03 Rev P1).

The following change to the wording is sought to achieve a permitted closing time of 00.30. The applicant does not seek any alteration to the prohibition on amplified sound in this space.

The change is highlighted in bold:

Current wording	Proposed wording
<i>All external rooftop terraced areas shall only be used between 8.00am and 9.00pm seven days a week, and there shall be no use of amplified sound.</i>	<i>All external rooftop terraced areas shall only be used between 8.00am and 11.00pm seven days a week, and there shall be no use of amplified sound.</i>

This change would align with the hours of operation sought by the discharge of condition submission in relation to the internal areas of Deck and Dome. This has been submitted concurrently. Due to a historic oversight, the internal spaces have been operating to these hours for some time. No incidents have been reported. The times match those permitted by the existing premises licence.

The internal rooftop spaces are currently available for hire for the hosting of managed, booked events. It is not open to passing trade. Usage of the space would respond to the demand for hire, and use of the outside space will be seasonally driven on that basis.

The condition currently prohibits any use of the outdoor space after 9pm. Anyone present at an event who wishes to smoke or take a breath of air outdoors, must descend to street level and exit the premises entirely. This is inconvenient for patrons and for the operator, as customers who leave the event space may decide not to return.

There is no aspiration as part of this application to create an outdoor events space with amplified sound. Rather, the aim is to provide an adjacent outdoor space which can be used by those attending events in the internal spaces. It would be ancillary to the main event space. It is anticipated that it will not be used to a great degree, but will provide a convenient resource for a small number of people.

Policy C10 recognises that the night-time economy contributes to the vitality of the city centre. The building itself and its nearest neighbours are commercial in nature. The Deck and Dome space, whilst external, is effectively an internal courtyard space, set within the building envelope. The taller built elements limit the escape of sound.

The property is operated by Allied London who have an excellent track record in ensuring that uses are managed to the highest standards. The space will be well managed by staff engaged with the internal events spaces. They are already required to supervise the outdoor areas.

By virtue of the nature of the built form; the limited extent of use envisaged; and the character of nearby uses, there will be no impact on amenity. The proposed variation of condition will have no negative impact in this regard.



I trust the enclosed is satisfactory to allow you to register the application and I look forward to acknowledgement of its receipt. Should you wish to discuss the proposals or have any queries, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "DBB", with a long horizontal stroke extending to the right.

Deborah Baker Barnett
Associate Director