

PLANNING STATEMENT

Unit 0A, Windmill Green, 24 Mount Street, Manchester,
M2 3NN

LHP GROUP LTD

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1. INTRODUCTION

- 1.1. Broadgrove Planning and Development Ltd have been instructed by LHP GROUP LTD ('the Applicant') to prepare and submit a planning application for a proposed development at the ground floor unit at Unit 0A Windmill Green, 24 Mount Street, Manchester M2 3NN ('the site').
- 1.2. The site red line is shown in the accompanying plans, with the application for planning permission made to Manchester City Council ('the Council') as the requisite Local Planning Authority ('the LPA') for where the site is located.
- 1.3. The description of development sought by this planning submission is as follows:

'Change of use of a vacant retail unit to a bar / nightclub (Sui Generis)'
- 1.4. The following documents and drawing have been submitted in support of this planning application and should be read alongside this Planning Design and Access Statement:
 - Planning application forms, certificates and notices, dated and signed;
 - Suite of planning drawings prepared by Daniel James Interiors;
 - Crime Impact Statement prepared by Greater Manchester Police;
 - Acoustic Assessment Prepared by Hepworth Acoustics Ltd.
- 1.5. The purpose of this Statement is to provide details about the site and the proposed development, before outlining the relevant planning policy framework at local and national levels.
- 1.6. The proposals are then assessed against the policy context, whilst summarising the contents of the above reports, proving that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission at the site.
- 1.7. Overall, the compliance of the proposals with policy and the technical suitability of the site for housing the proposed development will be demonstrated throughout.

Structure of this Planning Statement

- 1.8. This Planning Statement is structured as follows:
 - Chapter 2, Site and Surrounding Area: explains the site composition and the local context where it is situated;

- Chapter 3, Planning History: outlines relevant planning applications on the application site and surrounding area;
- Chapter 4, Proposed Development: sets out details of the proposed full application being made;
- Chapter 5, Planning Policy Framework: indicates the adopted local policies relevant to the proposed development;
- Chapter 6, Material Considerations: sets out any material considerations to be balanced when assessing the proposed development;
- Chapter 7, Planning Assessment: demonstrates how the proposals represent sustainable development when judged against planning policy and material considerations;
- Chapter 8, Conclusions: summarises the contents of this Statement.

2. SITE AND SURROUNDING AREA

Site

- 2.1. The site is located on the ground floor of Windmill Green, Mount Street, Manchester. It is a roughly rectangular-shaped unit, with a total floorspace of circa 600 sqm. This application relates to the northern ground floor Unit 0A of Windmill Green.
- 2.2. The existing site has approval for Use Class A1/A3 retail at ground floor level, now Use Class E (as in the Town and Country Planning (Use Classes) Order 1987 as amended (2021)).
- 2.3. The site is situated within the St. Peter's Square Conservation Area, which seeks to retain the heritage and character of the area. There are no listed buildings or scheduled monuments within the site's demise.
- 2.4. A search of the Environment Agency's online flood mapping service indicates the site is within Flood Zone 1. Furthermore, a very low risk of surface water flooding is expected for the site.
- 2.5. There are no TPOs or areas of ecological importance within close vicinity of the site.

Surrounding Area

- 2.6. To the east of the site lies The Midland Hotel, with the Manchester Central Convention Complex to the south. To the north of the site is Grade II Listed St Georges House, currently used for office space under Use Class A2 (financial and professional).
- 2.7. The surrounding area demonstrates a variety of uses, predominantly including offices and commercial uses and other late-night bars and nightclubs. Bars in the vicinity to the north include Haunt and Exhibition, located at the ground floor of St. Georges House. The Midland Hotel to the east of the site under Use Class C1 is the nearest sensitive receptor to the site as overnight accommodation.
- 2.8. In terms of public transport links, there are multiple bus stops and tram stops in the vicinity of the site served by services operated by Transport for Greater Manchester. Oxford Road train station is approximately 0.5 miles south of the site, providing connections to Piccadilly Station, approximately 0.8 miles east of the site.
- 2.9. Given the mixed-use character and copious opportunities present in the surrounding area, the site evidently represents a sustainable location for change of use of a retail unit to a bar/nightclub.

3. PLANNING HISTORY

Site Planning History

- 3.1. A search of Manchester City Council's online planning applications register has yielded the following results relevant to the application site:
- 3.2. 106437/FO/2014/C1 – Demolition of London Scottish House and construction of new 17 storey (inc ground floor) office building (Use Class B1) with ground floor uses (Class A1 (shops), A2 (financial and professional services, and B1 office)) car parking, bicycle parking, landscaping, access and servicing arrangements and associated works. Decision: Approve. Decision Issued Date: 29/10/2014.
- 3.3. 112455/FO/2016 – Partial demolition and reconfiguration of London Scottish House to create a new office building (Use Class B1) with retail uses (Use Classes A1, A3 or B1) at the ground and first floor, servicing and cycle parking, access and servicing arrangements and associated works. Decision: Approve. Decision Issued Date: 20/09/2016.
- 3.4. 125452/FO/2019 – Change of use of part of ground floor (Unit 0A) from retail (Use Class A1/A3) to Bicycle Spinning Studio (Use Class D2). Decision: Approve. Decision Issued Date: 08/07/2020.
- 3.5. The previous planning permission for the partial demolition of London Scottish House (112455/FO/2016) proposed uses within classes A1 and A3. The site's planning history demonstrates that a change of use has previously been approved at the application site from A1/A3 (now Use Class E (a,b,c)) to Class D2 (now Use Class F).

Surrounding Planning History

- 3.6. 130120/FO/2021 – Change of use of café on eastern side of ground floor to wine bar (Sui Generis) including installation of new signage, canopies, provision of outside seating and elevational alterations. Decision: Approve. Decision Issued Date: 26/07/2021. St Georges House 56 Peter Street Manchester M2 3NQ.
- 3.7. 134919/FO/2022 – Change of use (part basement) from car park and storage space to Drinking Establishment (Sui Generis) including removal of wall mounted air conditioning units. Decision: Approve. Decision Issued Date: 19/04/2024. Lloyds House Jacksons Row Manchester M2 5ND.
- 3.8. 138903/FO/2023 – Change of use from retail with ancillary basement storage (Use Class E) to drinking establishment with food provision and ancillary basement storage (Sui Generis). Decision: Refuse. Decision Issued Date: 28/03/2024. 89 Oldham Street Manchester M4 1LW
- 3.9. This application was refused on the basis that insufficient information was submitted in order

for the LPA to determine the impact on amenity.

- 3.10. The planning history demonstrates that a number of drinking establishments and late-night bars have been approved adjacent to the application site. There are a number of evening venues in vicinity to the application site, fronting Museum Street, Mount Street and Peter Street.

4. PROPOSED DEVELOPMENT

- 4.1. This section should be read together with the accompanying drawing pack prepared by Daniel James Interiors.

Use

- 4.2. This application relates to the ground floor retail unit at the northern extent of Windmill Green. The associated works include an internal fit out of the existing unit to facilitate the operations of the new occupier.
- 4.3. The proposed development relates to the change of use of an existing retail unit to a late-night bar / nightclub. A reception area, toilets, cloak rooms and an office will also be provided within the existing unit to facilitate the proposed use.
- 4.4. The proposed description of development is as follows:

‘Change of use of a vacant retail unit to a bar / nightclub (Sui Generis)’

Amount

- 4.5. The proposed development seeks to carry out internal works to the existing unit. The works comprise of minor internal changes to the existing unit in order to facilitate the new proposed use as a late-night bar / nightclub.
- 4.6. The proposed bar will be operational on Friday, Saturday and Sunday nights from 23:00 until 04:00 hrs.

Scale

- 4.7. The scale of the proposed works are entirely internal.
- 4.8. Partition walls are to be constructed within the existing unit to provide separations between the proposed bar area, main club, VIP area, and back of house.
- 4.9. There are no changes proposed to the scale of the existing building or any the external elements of the unit itself.

Design & Appearance

- 4.10. The proposed development proposes no external changes to the existing unit.
- 4.11. Waste would be stored within an internal bin store.

Access

- 4.12. No alterations are proposed to the existing unit as part of the change of use.
- 4.13. The proposals will utilise the existing access points located on the Museum Street and Mount Street frontages. The Museum Street access to the unit will be the primary access point. The Mount Street access will be utilised a fire escape and back-of-house only.

5. PLANNING POLICY FRAMEWORK

- 5.1. Paragraph 47 of the National planning Policy Framework requires (in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990, that planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

Adopted Development Plan

- 5.2. The adopted local plan for Manchester consists of the following documentation:
- Places for Everyone (PfE) plan that was adopted by Manchester, alongside the other participating members of the Greater Manchester Combined Authority, on 21 March 2024.
 - Core Strategy that was adopted by the Council in July 2012. As the Core Strategy predates the most recent National Planning Policy Framework (NPPF) of December 2023, the Core Strategy policies will be afforded due weight in accordance with their consistency with those contained in the NPPF.
 - The Core Strategy supersedes significant elements of the Unitary Development Plan (UDP). There are still some extant UDP Policies which set out guidelines for development in Manchester and form part of the Development Plan. The Unitary Development Plan for the City of Manchester (the UDP) was adopted by the Council on 21 July 1995.
- 5.3. On the adopted Policies Maps, the site has the following designations:

Core Strategy (2012)

- Regional Centre (Policy EC3)
- City Centre Development Strategy (Policies CC1 – CC10)

Places for Everyone (2024)

- Air Quality Management Areas (Policy JP-S5)

- 5.4. The following PfE policies are relevant to the consideration of the proposals:

- Policy JP-Strat1: Core Growth Area
- Policy JP-Strat2: City Centre

- Policy JP-S1: Sustainable Development
- Policy JP-J1: Supporting Long-Term Economic Growth
- Policy JP-P1 Sustainable Places
- Policy JP-P3: Cultural Facilities
- Policy JP-P4: New Retail and Leisure Uses in Town Centres

5.5. The following Core Strategy Policies are also relevant to the consideration of the proposals:

- Policy SP1: Spatial Principles
- Policy CC4: Visitors: Tourism, Culture and Leisure
- Policy CC7: Mixed Use Development
- Policy CC10: A Place for Everyone
- Policy C10: Leisure and the Evening Economy
- Policy T2: Accessible Areas of Opportunity and Need
- Policy EN1: Design Principles and Strategic Character Areas
- Policy EN3: Heritage
- Policy DM1: Development Management

5.6. The following Policies in the Unitary Development Plan are relevant to the consideration of the proposals.

- Policy DC10: Food and Drink Uses
- Policy DC26: Development and Noise

5.7. The Greater Manchester Joint Minerals Plan (adopted April 2013) also forms part of the statutory development plan for Manchester; however, is not relevant in this instance.

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Countr Planning Act 1990, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2. The following represent material considerations to be balanced in consideration of the proposed development.

National Planning Policy Framework (December 2023)

- 6.3. At a national level, planning policy and guidance is contained in the National Planning Policy Framework (NPPF). The updated NPPF (December 2023), sets out the Government's vision for future growth. The NPPF must be considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 6.4. The NPPF acknowledges that planning policies and decisions should play an active role in guiding development towards sustainable development solutions, but in doing so, should take local circumstances into account, to reflect the character needs and opportunities of each area.
- 6.5. Paragraph 8 states that there are three dimensions to sustainable development: economic, social and environmental and, as set out in paragraph 9, these provide broad objectives to be delivered through planning decisions.
- 6.6. At the heart of the NPPF is a presumption in favour of sustainable development as set out in paragraph 11. This means that local planning authorities should 'approve development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.
- 6.7. Paragraph 38 advises that LPAs should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.
- 6.8. Paragraph 47 states that, "Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."
- 6.9. Paragraph 85 states "Planning policies and decisions should help create the conditions in which

businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

- 6.10. Chapter 7 supports the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. Paragraph 90 states, inter alia “Planning policies should: define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters”.
- 6.11. Paragraph 96 states, “Planning Policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other and are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”.
- 6.12. Paragraph 131 states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.”
- 6.13. Paragraph 135 seeks developments that function well and add to the overall quality of the area, are visually attractive as a result of good architecture and are sympathetic to local character, history and the surrounding built environment.

Other Material Considerations

- 6.14. Supplementary Planning Documents (SPD) provide detailed guidance on specific sites and topic areas to supplement the formal policies of the statutory development plan. The following Supplementary Planning Documents are considered relevant to the proposed development:
- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
 - Planning & Noise Technical Guidance (October 2022)

7. PLANNING ASSESSMENT

7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2. The key planning issues are considered in turn below.

Principle of Sui Generis Use

7.3. This planning application comprises the change of use of an existing ground-floor retail unit to a late-night bar / nightclub. The proposed use can be defined as Use Class Sui Generis (as defined in the Town and Country Planning (Use Classes) Order 1987 as amended (2021)).

7.4. The PfE Joint Development Plan identifies Manchester City Centre as the core focus for economic development. Policy JP-Strat1 (Core Growth Area) sets out that the economic role of the Core Growth Area (including the City Centre and Salford Quays to Port Salford) will be enhanced. Policy JP-Strat2 (City Centre) states that the City Centre will continue to provide the primary focus for business, retail, leisure, culture and tourism activity in Greater Manchester.

7.5. The proposed development supports the growth and important economic function of Manchester City Centre. The proposals outlined in the PfE Joint Development Plan support development that contributes towards the sustainable economic growth of the City Centre.

7.6. The existing unit is vacant and has been vacant for at least five years. The proposed use will ensure the unit can become occupied and contribute towards the economic activity associated with the City Centre. The proposed use will provide jobs in the City Centre for workers at the prospective bar and will also encourage spending both at the site and at the other evening venues in the vicinity.

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

1. Cumulative Impact
2. Residential amenity
3. Balance

- 7.8. The proposed change of use will support the City Centre's offer of leisure venues and the evening economy. The area surrounding Peter Street is not identified as an area which suffers from the cumulative impacts of night-time uses. In accordance with criterion 1 of Policy C10 there is no reason for a presumption against further facilities in this area.
- 7.9. Criterion 2 relates to residential amenity and requires any proposed use to not create an unacceptable impact on neighbouring uses in terms of noise, traffic and disturbance. The noise and disturbance of the proposed use will be considered later in this section. From a review of the surrounding uses, it is evident that the only sensitive use in proximity to the site is the Midland Hotel. Therefore, it is considered that the proposals would have limited conflicts with the surrounding uses and other evening leisure activities in vicinity of the site.
- 7.10. The development is located within the St. Peter's Square Conservation Area. The area is characterised by a mix of uses and there are six listed buildings within the Conservation Area boundary. The proposed change of use is limited to an Internal fit out of the existing retail unit. Therefore, there will be no changes to the character of the Conservation Area as a result of the change of use. The proposals are considered to be in accordance with Policy EN3 (Heritage) and Policy DM1 (Development Management of the Core Strategy).
- 7.11. The proposed late-night bar / nightclub would contribute to the evening economy and provide positive improvements to Manchester City Centre's offer of evening leisure activities. The development is considered to be compatible with character of the surrounding area, which features several other late-night bars in this location.
- 7.12. The change of use will ensure the long-term occupation of a vacant retail unit at Windmill Green. The UDP, Core Strategy and Places for Everyone Joint Development Plan support development of this nature in this location of Manchester City Centre. Therefore, it is clear that Local Planning Policy supports the principle of the proposed change of use in this location of Manchester City Centre.

Noise and Residential Amenity

- 7.13. Hepworth Acoustics Ltd have undertaken a Noise Impact Assessment to accompany the planning application submission.
- 7.14. The late-night bar / nightclub is proposed to be open between 23:00 – 04:00 on Friday, Saturday and Sunday nights and will therefore operate outside of hours of the majority of the surrounding uses.
- 7.15. The site and surrounding area section has confirmed that the majority of uses in vicinity to the site comprise of commercial and office uses. The Midland Hotel is located on the eastern side of

Mount Street and is identified as the closest residential building under Use Class C1. There are also hotel guest rooms at the Edwardian Manchester hotel beyond the Theatre Royal building to the Museum Street elevation, as well as apartments on the upper floors of Great North Tower further to the west.

- 7.16. The noise assessment has therefore focussed on the potential noise impact of trading noise break-out to these identified noise sensitive receptors against the Manchester City Council document Planning & Noise Technical Guidance (2022).
- 7.17. Baseline noise measurements were carried out at the site to determine the prevailing baseline noise levels, in vicinity to the nearest noise sensitive receptors. The main identified noise sources comprised of distant and local road traffic, building services noise from other premises and pedestrians. The full results of the noise survey are detailed in Appendix II.
- 7.18. Taking into account the adopted noise criteria, the Noise Impact Assessment has considered the noise limits and the internal noise break-out. It is understood that music will be played at high levels from the main trading/VIP area. This is located towards the centre of the premises and the noise levels will be significantly lower at the bar and private members' area (both situated closer to the Mount Street and Museum Street elevations).
- 7.19. The Impact Assessment has adopted a worst-case scenario for the trading noise levels at the main trading/VIP area. Based on this worst-case scenario, the report provides recommendations to enhance the sound insulation and prevent noise break-out.
- 7.20. The NIA recommends new internal wall linings on both the Museum Street and Mount Street elevations mounted via fully independent metal studs. The cavity between the new internal wall lining and the external glazing must be at least 500mm and partially filled with 200mm dense Rockwool.
- 7.21. The recommendations include new fire exit doors adjacent to the proposed bar and new internal doors between the lobbies and trading areas which meet minimum laboratory airborne sound insulation performance. Entrance/exit doors will be fitted with self-closing devices and should not be pinned open at any time during trading hours.
- 7.22. The new sound system will need to be designed to minimise sound levels around the perimeter. Speakers will be located away from perimeter walls and orientated towards the centre of the premises. There will be no bass in the bar area and the sound system will be equipped with a music noise limiter to ensure sound levels do not exceed appropriate limits.
- 7.23. The recommendations ensure there will be no ventilation openings in the Mount Street elevation (due to the proximity of Midland Hotel guest rooms) and any necessary ventilation

openings in the Museum Street elevation will incorporate appropriate silencers.

- 7.24. Taking into account the above, trading noise break-out is anticipated to be within the adopted noise limits outside the nearest sensitive receptors with some margin of safety (as outlined in Appendix III of the Assessment).
- 7.25. The need to adequately control plant and equipment noise to this level can be secured by an appropriately worded planning condition and this approach would be in line with Manchester City Council standard practice.
- 7.26. Calculations have shown that the premises shopfronts to both Museum Street and Mount Street will require sound insulation enhancements to adequately control trading noise break-out. With the provided recommendations in place, it can be demonstrated that the appropriate noise limits can be achieved on site.
- 7.27. Therefore, in accordance with Policy C10 (Leisure and Evening Economy), Policy DM1 (Development Management) the proposed use should not create an unacceptable impact on neighbouring uses in terms of noise and disturbance.

8. CONCLUSIONS

- 8.1. This Planning Statement has been prepared by Broadgrove Planning and Development Limited ('Broadgrove') on behalf of our client, LHP GROUP LTD ('the Applicant'), to support a full planning application made at Windmill Green, Mount Street, Manchester M2 3NN ('the site').
- 8.2. This application seeks full planning permission for the following description of development:
'Change of use of a vacant retail unit to a bar / nightclub (Sui Generis)'
- 8.3. This Planning, Design and Access Statement has demonstrated that the proposed end use is in-keeping with the character of the City Centre area and is compatible with the surrounding mix of uses. In addition, it has been demonstrated that there will be no unacceptable impacts to neighbouring amenity of residential uses as a result of the change of use.
- 8.4. The grant of planning permission will facilitate the long-term occupation of the existing unit, which has been vacant for at least five years. The proposed bar / nightclub will contribute positively to the leisure offer and the evening economy in this area of Manchester City Centre.
- 8.5. There are no other technical reasons arising from noise, flood risk and drainage or ground conditions that should prevent the granting of planning permission.
- 8.6. Overall, the information submitted to the Local Planning Authority shows that the proposed development complies with policies at a local and national level and therefore constitutes sustainable development as defined at the heart of the National Planning Policy Framework. We respectfully request that planning permission is granted without delay.
- 8.7. Should there be any queries relating to this Statement or the wider planning submission, please contact Broadgrove Planning and Development (via Michael Parham mp@broadgrove.co.uk) at your earliest convenience.

Broadgrove

PLANNING & DEVELOPMENT LTD

