MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139482/FO/2024
Date registered valid:	12 March 2024
Proposal:	Change of use from existing dry cleaners to bar/eatery, including front elevational changes and internal alterations.
Address:	71 - 75 Bridge Street, Manchester, M3 2RH
Ward(s):	Deansgate Ward
Applicant:	Mr Ian Maugham
Agent (if any):	Mr Thomas Brown
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**07/05/2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 14 March 2024 Expired: 6 April 2024

Neighbour notifications
Printed: 14 March 2024 Expired: 6 April 2024

Site notice
Posted: Expired:

Press advert
Published: 19 March 2024 Expired: 2 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building
The site relates to 71-75 Bridge Street, a simple brick building with a plate glass, aluminium frame shopfront to the ground floor. The building was the site of the Granada Dry Cleaners for many decades, a Sui Generis Use, and this was the last business to occupy the building.

Listed building: Not applicable

Conservation area: Parsonage Gardens Conservation Area 1985

Tree Preservation Order:

Description of area
The area relates to Bridge Street, a heavily trafficked road off Deansgate which links Manchester City Centre with Salford. The character of the area comprises many different uses, including drinking, dining, retail and residential. The road is located within the Parsonage Gardens Conservation Area and the Grade II listed Manchester Hall and Sawyers Arms public house are both on Bridge Street.

Description of development
The development relates to a change of use from a Sui Generis dry cleaners to a Sui Generis drinking establishment. The application also seeks the installation of a new shopfront, together with a new jet cowl to the rear elevation.

Consultations & Notification Responses
Publicity – a press notice was displayed in the local press advertising the works as those affecting the setting of a conservation area and listed building and letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

MCC Highways - no objections. Site is in a highly sustainable location. No concerns around increased trip generation owing to existing busy nature of surrounding area. CMP and cycle storage requested. Appropriate conditions are attached to this approval.

Environmental Health - no objections, conditions requested controlling fumes/odours, noise, hours of operation and servicing and waste management. Appropriate conditions are attached to this approval.

Design for Security at Greater Manchester Police - no concerns regarding the application.

Issues
The main policies that relate to this application are DM1 (Development Management) SP1 (Spatial Principles), EN3 (Heritage), CC1 (Primary Economic Development Focus : City Centre and Fringe) CC9 (Design and Heritage), CC10 (A place for Everyone), C10 (Leisure and the Evening Economy) of the Manchester Core Strategy (2012) and saved policies DC18 (Conservation Areas) and DC26 (Development and Noise) of the Unitary Development Plan for Manchester (1995).

Planning History
137415/FO/2024 – granted a temporary change of use to a Sui Generis drinking establishment, together with elevational alterations.

Principle
The application seeks a change of use to create a new (Sui Generis) bar and eatery use in the former Granada Dry Cleaners, a sui generis use. The unit is located on Bridge Street, a popular dining and drinking destination just off Deansgate in the heart of Manchester's city centre. Therefore, it is considered that there is an established precedent for this type of use at the location as there are a number of other drinking establishments currently operating. The development would help contribute to the local offer, creating additional choice for both locals and visitors.

The nature of the use would also help contribute to the local economy. This is considered acceptable pursuant to policy CC1 which seeks the provision of a range of economic development uses in the city centre and its fringe and C10 which supports development which supports the evening economy and contributes to the vitality of district centres.

Given the above, the proposed change of use is considered acceptable in principle. However, there are amenity considerations, including visual, noise and fumes and odours that require consideration, together with the practicalities of accessibility, servicing and refuse management. These matters are explored further below.

Visual amenity
The application seeks the installation of a new shopfront to the primary elevation fronting Bridge Street. At present, the shop front comprises steel framed sheet glazing bifurcated in the centre by a structural pillar. There is a doorway on either side of the shopfront. The proposal would see the consolidation of the entranceway to just the easternmost doorway, to facilitate an inclusive, accessible entrance.

The western side of the pillar would comprise two bifold doors, which when closed would appear as five vertically oriented glazed panels. Three panels would retract westwards and two eastwards, to create a more permeable space for use in good weather, as the footway along Bridge Street is too narrow to allow for outdoor seating. To the east of the pillar, there would be three vertically oriented glazed panels, which together with a new glazed door. This would help maintain a regular rhythm and motif across the elevation. All glazing would be clear to allow for

maximum permeability into the unit, thereby enlivening the street scene at this section of Bridge Street.

To the rear Back Bridge Street elevation, the application seeks the installation of new plant. The two new condenser units would be concealed behind an outrigger wall which has an opening between the top of the wall and the roof, thereby ensuring these would not be visible from the street.

There would be a jet cowl installed atop the pitched outrigger roof for fume odour discharge. This would be on the inward facing slope of the roof's pitch to minimise its visual impact. By virtue of the street's narrow width and high level of enclosure created by the tall buildings on this side of the street, the cowl would be visible from very few oblique angles. Furthermore, this street serves mainly as a back of house/services area where there is a significant amount of existing plant.

Noise
Policy C10 of the MCS requires consideration of the impact of leisure uses on the neighbouring uses in terms of noise, traffic and disturbance as well as the cumulative impacts of new leisure uses.

The unit is currently operated as a food and drink establishment and the City Council is not aware of any complaints made regarding the current use. Furthermore, a number of public comments from local residents were supportive of the change of use.

There are several drinking establishments in the vicinity already, and in this context an additional drinking establishment is not considered to be excessive.

The proposal seeks the installation of a new, retractable shopfront together with new externally mounted plant. Both of these alterations could have a significant impact on noise levels. There is evidence that the premises at No.65 are residential and concerns have been raised by Environmental Health about potential impact on amenity to these occupiers created by the development.

The submitted noise assessment does not adequately assess the extra breakout noise from having the shopfront open. Therefore, a condition attached to this approval will require the shopfront to remain closed to prevent an unacceptable level of breakout noise and additional noise creep on the road.

As the findings of the submitted noise assessment have not been accepted by Environmental Health, conditions are attached to this approval require the submission of an assessment together with post-completion validation testing.

A previously approved application (137415/FO/2023) gave opening hours until 4am on weekends. Due to concerns raised by Environmental Health, the applicant was given a temporary permission for change of use to allow for review of the hours after 12 months. This application seeks a permanent change of use with the hours recommended by Environmental Health, in order to afford the applicant certainty over the change of use, whilst also ensuring hours that would not have an unduly harmful impact on amenity.

Fumes
The application seeks the installation of a jet cowl related to the installation of a kitchen at the rear of the business. To ensure there are no negative amenity impacts associated with this aspect of the development, the applicant would be required to submit an air quality assessment

and to implement any mitigation measures recommended by this assessment. An appropriate condition is attached to this approval.

Transport
The site is in an accessible location due to its City Centre location and with nearby tram stops at St Peter's Square and Market Street, as well as numerous bus stops along Bridge Street. Owing to this, many customers would be expected to arrive on foot and public transport. Highways did not consider the trips would unduly impact network capacity due to increased trip generation.

Access
The site does not currently benefit from level access owing to a raised floor at the front of the building. The building is on a slight slope heading westwards which means there is a significant step to overcome on the western side of the elevation. To create level access on this side would entail significant structural work that would be prohibitively expensive to the operator However, there is only a small lip to eastern side of c.3cm.

The proposal would see an internal ramp from the doorway up to the raised floor level. The external concrete lip from pavement level would be chamfered to ensure ease of movement and mitigate against a trip hazard. This eastern doorway would be the only entrance to the front of house area, securing a singular, accessible entrance for all customers thereby delivering on the City Council's aim of creating inclusive accessibility.

Given the above, this aspect of the development is considered acceptable pursuant to policy CC10 of the Manchester Core Strategy, which supports accessibility to buildings across the City Centre.

Refuse
A waste management plan was submitted by the applicant. As the bin are stored within the curtilage of the building and serviced in line with surrounding operations from Back Bridge Street, this was considered acceptable to Highways Services and Environmental Health.

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

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary and the scheme is considered acceptable and appropriate conditions have been attached to the end of this report.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

-Drawing - Proposed 04 J BASEMENT AND GF PLANS
-Drawing - Proposed 05 F 1F AND 2F PLANS
-Drawing - Proposed 07 F SIGNAGE DETAILS
-Drawing - Proposed 08 A WASTE MANAGEMENT PLAN
-Drawing - Proposed 10 A MAINTENANCE AND DELIVERY MANAGEMENT PLAN
All received by the City Council, as Local Planning Authority, on 08/03/2024

-Drawing - Proposed 06 E ELEVATIONS received by the City Council, as Local Planning Authority, on 07/05/2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy, saved policy DC19.1 and Sections 12 of the National Planning Policy Framework.

3) The cycle parking indicated on the approved plan (received by the City Council, as Local Planning Authority, on 12/02/2024) shall be made available for use prior to the building hereby approved being occupied.

The cycle parking shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Manchester Core Strategy.

4) Prior to installation, full and final details of the shopfront windows and doors shall be submitted to and approved in writing by the City Council, as Local Planning Authority. This shall include elevations and cross sections, fixing methods, details of any joining, materials and specifications of frame widths.

The approved details shall be implemented as part of the development and completed prior to the first occupation of the development.

Reason - To ensure that the development is acceptable in the interests visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

5) The window(s) at ground level, fronting onto Bridge Street shall be retained as a clear glazed window opening at all times and views into the premises shall not be screened or obscured in any way.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) a) Prior to first use of the development hereby approved, a scheme to extract and discharge fumes, vapours and odours from the premises shall be submitted to and approved in writing by the City Council as local planning authority. This shall include painting the flue/cowl RAL 9005.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of occupiers of nearby properties pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012)

8) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 the building and occupiers of nearby properties pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan (1995)

9) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme 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 development 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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan (1995)

10) The premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

-Sunday to Thursday: 10:00 to 01:00
-Friday and Saturday 10:00 to 02:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy DM1 and SP1 of the Manchester Core Strategy (2012) and Unitary Development Plan for Manchester (1995).

11) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, deliveries/waste collections on Sundays/Bank Holidays confined to 10:00 to 18:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012)

12) The openable section of the shopfront shall be kept secured shut at all times to prevent an unacceptable level of breakout noise.

Reason - in the interest of the amenity of surrounding occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for Manchester (1995)

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development at 71-75 Bridge Street shall be

used for any purpose other than the purpose of a bar and eatery (Sui Generis) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Transport For Greater Manchester

Basement And Ground Floor, 69 Bridge Street, Manchester, M3 3BQ
Second Floor, Rational House, 64 Bridge Street, Manchester, M3 3BN
First Floor, 54 - 56 Bridge Street, Manchester, M3 3BW
67 Bridge Street, Manchester, M3 3BQ
77 Bridge Street, Manchester, M3 2RH
Third Floor, 69 Bridge Street, Manchester, M3 3BQ
Second Floor, 69 Bridge Street, Manchester, M3 3BQ
Third Floor, 62 Bridge Street, Manchester, M3 3BW
Second Floor, 52 Bridge Street, Manchester, M3 3BW
Flat At, Bridge Street Tavern, 58 Bridge Street, Manchester, M3 3BW
Second Floor Flat, 54 - 56 Bridge Street, Manchester, M3 3BW
Ground Floor, 40 King Street West, Manchester, M3 2WY
Basement, Kings House, King Street West, Manchester, M3 2NY
Basement, Kings House, 42 King Street West, Manchester, M3 2NY
First Floor, 40 King Street West, Manchester, M3 2WY
Basement, Rational House, 64 Bridge Street, Manchester, M3 3BN
Basement And Ground Floor, 62 Bridge Street, Manchester, M3 3BW
First Floor, 71 - 75 Bridge Street, Manchester, M3 3RH
Ground Floor, 54 - 56 Bridge Street, Manchester, M3 3BW
69 Bridge Street, Manchester, M3 3BQ
Sub Basement, 40 King Street West, Manchester, M3 2WY
Bridge Street Tavern, 58 Bridge Street, Manchester, M3 3BW
Basement, 42 King Street West, Manchester, M3 2NY
Hollins Chambers, 64A Bridge Street, Manchester, M3 3BA
Basement, 40A King Street West, Manchester, M3 2WY
Flat 4, 67 Bridge Street, Manchester, M3 3BQ
Flat 1, 67 Bridge Street, Manchester, M3 3BQ
First Floor, 69 Bridge Street, Manchester, M3 3BQ
Ground Floor And First Floor, 54 - 56 Bridge Street, Manchester, M3 3BW
Third Floor And Fourth Floor Front, Rational House, 64 Bridge Street, Manchester, M3 3BN
54 - 56 Bridge Street, Manchester, M3 3BW
52 Bridge Street, Manchester, M3 3BW
40A King Street West, Manchester, M3 2WY
40 King Street West, Manchester, M3 2WY
Kings House, 42 King Street West, Manchester, M3 2NU
40 - 42 King Street West, Manchester, M3 2WY
First Floor, 52 Bridge Street, Manchester, M3 3BW
Ground Floor, 52 Bridge Street, Manchester, M3 3BW
Flat 3, 67 Bridge Street, Manchester, M3 3BQ
Flat 2, 67 Bridge Street, Manchester, M3 3BQ
Ground Floor, Rational House, 64 Bridge Street, Manchester, M3 3BZ
79 - 81 Bridge Street, Manchester, M3 2RH
Second Floor, 62 Bridge Street, Manchester, M3 3BW
Ground Floor, 71 - 75 Bridge Street, Manchester, M3 2RH
First Floor, 62 Bridge Street, Manchester, M3 3BW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Parsonage Gardens Conservation Area 1985
Area Team Boundary - Name: CENTRAL