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Submitted via the Planning Portal PP-12518657

Dear Sir / Madam,

39-41 PICCADILLY PLAZA

Please find enclosed a Discharge of Conditions Application submitted to Manchester City Council (MCC) by CBRE Limited, on behalf of City Tower Unit Trust. Approval is sought for details reserved by Conditions 5 (Noise) and 6 (Extraction System), associated with 39-41 Piccadilly Plaza, Manchester.

BACKGROUND

Planning permission was secured on the 23rd September 2020 (ref:127189/FO/2020) for the change of use from sui generis (casino) to a flexible use comprising Use Class A1 (Shops); A2 (Financial and Professional Services); and A3 (Restaurants and Cafes), including the associated internal subdivision, installation of new shopfronts and associated works.

Condition 6 (Extraction System) was previously discharged in July 2023 (ref: CDN/23/0232), however due to technical constraints, the extraction system design has been re-designed to provide an alternative extraction solution. Previously kitchen extraction was proposed via a rear service route, however additional on-site surveys have demonstrated that this route is now unfeasible due to technical constraints within the corridor. Therefore, the revised design proposes a dual kitchen extraction system, with ventilation for the cooking equipment serviced via an internal re-circulating ventilation system, and ambient kitchen air extracted onto Parker Street, via an an odour control unit.

APPLICATION DETAILS

This planning application is to approve details reserved by Conditions 5 and 6, associated with planning permission 127189/FO/2020.

Condition 5 (Noise)

'*Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated to ensure that noise levels are within the established limiting noise levels so as to achieve a rating level of 5dB (LAeq) below the existing background (LA90) noise levels when measured at 1m from the nearest noise sensitive receptor, as assessed within the Noise Impact Assessment Report (Ref 1027102-RPT-AS-001 Revision P01), stamped as received by the City Council as Local Planning Authority on 27 July 2020.*

For the avoidance of doubt, the limiting noise levels are as follows:

Daytime (07:00 - 23:00) - 52LAr,Tr dB

Night-time (23:00 - 07:00) - 52LAr,Tr dB

b) Notwithstanding the approved plans and documents as specified in condition 2 or the above part (a), prior to the first occupation of the development a verification report to validate that the work undertaken throughout the development, including the installation of plant, equipment and servicing conforms to the limiting noise levels, shall be submitted to and approved in writing by the City Council as local planning authority. The report shall provide evidence of an assessment of compliance to confirm that the noise criteria has 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. Any subsequently approved details shall be implemented in full and retained thereafter.

c) Should the development operate, at any time during the flexible change of use 10 year period, as an A1 or A2 use and then subsequently be changed to an A3 (restaurant) use, then both part (a) and part (b) of this condition must be again discharged by the City Council as local planning authority in writing prior to the first operation of said A3 (restaurant) use.'

External serving equipment has been selected to ensure that noise levels are in accordance with the established limited noise levels set out above, as demonstrated in the supporting documents listed at Appendix 1.

Condition 6 (Extraction Scheme)

'a) Notwithstanding the approved plans and documents as specified in condition 2, fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development. The approved scheme shall then be implemented fully before the use commences and retained thereafter.

Should the development operate, at any time during the flexible change of use 10 year period, as an A1 or A2 use and then subsequently be changed to an A3 (restaurant) use, the below part (b) of this condition must first be discharged prior to first occupation of any specific A3 (restaurant) use.

For the avoidance of doubt, 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) Notwithstanding the approved plans and documents as specified in condition 2 and the above part (a), should the premises operate as an A1 or A2 use then subsequently be proposed to flexibly changed to operate specifically as an A3 use (restaurant), prior to the first occupation of any A3 use (restaurant) fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the specific use commences. The approved scheme shall then be implemented fully before the use commences and retained thereafter.'

Supporting documents (Drawing ref: 01497-M-01 Rev T11) have been provided to illustrate the revised extraction scheme for approval.

APPLICATION SUBMISSION

This application comprises the following:

- Planning application form, notices, and certificates; and
- This Covering Letter (CBRE).

A full schedule of supporting documents is appended to this Covering Letter for ease of reference (Appendix 1).

I trust that the information submitted with this application is appropriate and that the condition can be subsequently discharged. However, if there are any immediate queries, please do not hesitate to contact me using the details provided.

Yours sincerely,

LAURA HUGHES
PLANNER – PLANNING & DEVELOPMENT

APPENDIX 1

Planning Application – Supporting Documents Schedule

This application is accompanied by the following documents:

REF	TITLE
94464/Q1/GE/AS/WT100	Allaway Acoustics Attenuator Selection Letter
01497-M-01 Rev T11	Proposed HVAC Details
ERV PI Specifications	Ventilation ERV PI Specifications
MUB_106 200EC	Systemair MUB_106 200EC Specifications
MUB_025 315EC	Systemair MUB_025 315EC Multibox Specifications
KITCHAVENT 2000 / 3000 / 4000	Airclean KITCHAVENT 2000 / 3000 / 4000 Specifications
1815-200	Airclean KITCHAVENT 2000 Details