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Gerry Reilly
Manchester City Council
Planning, Building Control and Licensing
Manchester Town Hall
M60 2LA

Dear Gerry,

**REMOVAL OF CONDITION 3 AND VARIATION OF CONDITION 6 ATTACHED TO PERMISSION REF:
118381/FO/2017
MANAHATTA, 188-192 DEANSGATE, MANCHESTER, M3 3ND**

We have been instructed by our client, ARC Inspirations Ltd., to submit the enclosed Section 73 application to remove condition 3 and vary condition 6 attached to application 118381/FO/2017. This was approved on the 4th December 2017 and allowed for the following:

“Change of use of basement and ground floor of Royal London House from shop (Use Class A1) to mixed use restaurant/bar (Dual Use Class A3/A4 - sui generis) together with elevational alterations and replacement glazing/shopfronts and installation of fume, ventilation and air conditioning equipment”.

The application seeks to remove condition 3 (restricting the placement of external seating) so that some tables and chairs can be placed externally, and to vary condition 6 to allow for extended operating hours.

Condition 3

Condition 3 states that no external seating areas are permitted as part of the consent. The applicant is seeking to remove this condition so that they are able to provide a small amount of external seating immediately in front of the premises, consisting of just a few tables and chairs immediately in front of the frontage, in line with what many of the neighbouring units within this section of Deansgate have provided. Indeed, it is relevant to note that permission was granted in February 2019 for seating at the site (ref: 122408/FU/2019), with consent granted for the following development:

“Use of external paving for the siting of 7 tables, 23 chairs and 8 barriers associated with and ancillary to the restaurant/bar within the ground floor of 188-192 Deansgate”

This new consent allows for external seating at the site and supersedes the previous consent. It should not be necessary technically to remove this historic condition as the new consent supersedes the older condition, however the applicant recently received a letter from Manchester planning department advising an application should be submitted to remove condition 3. This application therefore seeks to regularise this through removing the historic condition.

The requisite planning/licensing consents will be sought for this, however the condition must first be removed in order to enable this. Permission is therefore sought to remove this restrictive condition.

Condition 6

The opening hours of the premises are currently restricted by condition 6 to between the hours of 08:00am to 02:30am on Sunday to Thursday, and between 08:00am and 03:30am on Friday to Saturday. This application seeks to vary the hours of use, extending the opening hours to allow a slightly later opening time throughout the week, that is consistent with their premises licences hours. The revised wording of condition 6 is therefor as follows:

“The premises shall not be open outside the following hours: - 10:00am to 04:30am Monday to Sunday”

Deansgate and the surrounding streets in Manchester City are characterised by bars and restaurants at ground floor level, many of which are open until 4am and later. The applicant is seeking to extend their opening hours by 30 minutes at the weekend and 1 hour and 30 minutes throughout the week, so that their permitted hours of use match up with the hours permitted on their premises licence, and also what many of the neighbouring bars in the area are doing. The modest increase will enable them to serve drinks, and provide live music dj's etc, until 4:am, and then 30 minutes to allow patrons to leave the premises after this. This matches up with the hours recently applied for on their premises licence and will ensure consistency between the two.

In terms of relevant policy guidance, Manchester policies note that planning decisions must not erode the amenity of surrounding uses or the site itself. The proposals fully comply, not least because the proposed use is only a marginal increase to the existing hours, but also matches up with the hours of the neighbouring bars in the area, which is established in terms of late-night operations. There are no sensitive residential uses in close proximity to the site, and it is a part of town where nighttime uses of this nature are specifically encouraged.

The applicant recently received a letter from the Councils planning department advising an application would need to be submitted to ensure consistency with the licence, and this application therefore seeks the requisite consent to regularise the hours. The police have been consulted on the proposed hours as part of the premises licence application process raising no objections, and there have also been no complaints from any neighbours so the proposed hours should be deemed entirely acceptable.

For the avoidance of doubt, no other changes to the conditions on the extant permission are proposed. We therefore trust the council will share our view that the proposals are in accordance with the identified planning policy, and that the extended hours will not have any detrimental impact on the surrounding amenities and should, therefore, be supported. In the meantime, should you require any further information please do not hesitate to contact me.

Yours faithfully,



MARK SHEARMAN

Director