at MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137820/FO/2023
Date registered valid:	25 August 2023
Proposal:	Creation of restaurant use at lower ground floor (Class E(b)) and external alterations comprising of removal of glazed entrance, installation of timber door replacement, replacement of external feature lamps, addition of menu boards, and new plant equipment to roof.
Address:	Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Ward(s):	Deansgate Ward
Applicant:	CST Limited Partnership
Agent (if any):	Mr Don Murphy Paul Butler Associates
Case officer:	Michael Pearson Tel: 0161 219 2735 Email: michael.pearson@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: 15/04/2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 30 August 2023 Expired: 20 September 2023

Neighbour notifications
Printed: 30 August 2023 Expired: 20 September 2023

Site notice
Posted: 1 September 2023 Expired: 22 September 2023

Press advert
Published: 5 September 2023 Expired: 19 September 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the basement/lower ground floor of the Grade II listed Freetrade Exchange, formerly known as Harvester House. The application property is a former merchant's warehouse, now offices (Class E), with a drinking establishment use approved at ground floor (Sui Generis), and its basement/lower ground floor being unoccupied. The application property is bound by Peter Street, Southmill Street and Bootle Street. The property itself dates from the mid-19th century and is completed in sandstone, its front elevation features a contemporary powder coated modern metal entrance on the property's south-western corner, with a contemporary glazed entrance present on its south-eastern corner. Where the property's western facing side elevation extends beyond the front elevation of no35 Peter Street it features a rendered mount at ground floor.

Listed building: Grade II

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of the City Centre, with St Peter's Square lying under 175m away from the application site to the east. Peter Street is characterised by a high number of historic listed buildings in various commercial uses, this including the Grade II listed Lancashire House, Royale Club, and Albert Memorial, as well as the Grade II* listed Free Trade Hall that lies opposite the application site. The application site lies within the Deansgate Conservation Area and lies adjacent to the St Peters Conservation Area. More modern development lies to the south-west of the application site in the form of Petersfield House at no35 Peter Street, Great Northern Square and no36 Peter Street.

Description of development

The application seeks consent for the creation of a restaurant within the property's basement/lower ground floor (Class E(b)), with associated external alterations including new front entrance door, menu boards, external plant and light fixtures.

The proposed restaurant would be accessed from Peter Street, with disabled access being available to the rear of the site from Bootle Street. The restaurant would have space for approximately 132no covers, with an internal bin store, WCs, kitchen, bar and storage rooms.

Externally, the proposal would see the replacement of the 6no light fixtures present along the property's Peter Street elevation, with heritage style metal plated light fixtures. A timber door with octagonal decorative carvings would then replace the modern glazed unit situated on the property's south-eastern corner. Above said door a moulded timber panel and arched timber window would infill the rest of the property's front entrance. 2no menu boards would also be installed being completed in timber frames, with one being located to the front of the property adjacent to the main entrance on Peter Street and the other to the rear along Bootle Street. Said menu boards would have a height of 600mm, a width of 410mm and a depth of 40mm.

Atop the property additional plant and extraction equipment would be installed. The equipment would largely be confined to where existing plant is already located, with that of the proposed not protruding significantly past the property's rooftop access extension.

The proposed operating hours of the restaurant are as follows:

- Monday – Saturday 11:30 – 00:00
- Sunday and Bank Holidays 11:30 – 22:00

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

137821/LO/2023 - Listed Building Consent for internal works comprising of installation of kitchen, extract equipment and internal partitions, and external works for the replacement of glazed entrance with timber door, removal and replacement of feature lamps to entrance and installation of new plant to roof – Application pending consideration.

137081/LO/2023 - Listed Building Consent for installation of non-illuminated sign to side elevation, internal illuminated totem sign and internal window vinyls – Approved November 2023.

137108/AO/2023 - Installation of non-illuminated sign to side elevation – Approved November 2023.

133282/LO/2022 - Refurbishment and alteration works to office building comprising the reconfiguration of main entrance and expansion of reception area, use of lower ground floor as a bar (sui generis), removal of glazed canopy over main entrance, infill of enclosed area at 5th floor level (creating 37 sqm Use Class E(g)(i) office space), replacement of existing glazed entrance screen; repainting of modern ground floor feature western elevation, guardrails, and window frames; replacement of external lighting and removal of redundant lighting; installation of platform lifts; removal of car lift, roller shutter door and louver to vehicle entrance to north elevation of building and creation of additional glazed entrance and reception; installation of upgraded toilet

facilities; use of basement for bike store, gym, sauna, changing facilities, toilets and showers ancillary to existing office use of building; other internal works to enable enhancement of internal spaces; removal of redundant plant to roof level and installation of new plant and PV panels – Approved July 2022.

133119/FO/2022 - Application for full planning permission (including a partial change of use to lower ground floor from Office Use (Class E(g)i) to Public House, Wine Bar, or Drinking Establishment Sui Generis (p)) to include removal of glass canopy above main entrance, alterations to entrances to south (front) elevation, the infill of an enclosed area to the fifth floor to create an additional 37 square metres of office space (Class E(g)(i), repainting of modern ground floor feature to western return elevation, replacement of external lighting and removal of redundant lighting, removal of roller shutter door and louvre to vehicle entrance to north (rear) elevation and replacement with glazed entrance and reception, removal of redundant plant, lift overrun to roof level, creation of new plant screen, placement of new plant equipment and PV panels to roof – Approved July 2022.

Consultations & Notification Responses

Highway Services – No objection subject to the development proceeding in accordance with the submitted Construction Management Plan and an informative relating highway hoarding.

Environmental Health – No objection subject to conditions relating to acoustic insulation, external plant and fume extraction.

Greater Manchester Police – No objection subject to the development proceeding in accordance with the submitted Crime Impact Statement.

Publicity – None received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC3 – The Regional Centre
- Policy CC1 – Primary Economic Development Focus (City Centre and fringe)
- Policy CC2 – Retail
- Policy CC5 – Transport
- Policy CC9 – Design and Heritage
- Policy C10 – Leisure and Evening Economy
- Policy EN1 – Design Principle and Strategic Characters Areas
- Policy EN3 – Heritage
- Policy EN19 – Waste
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester – For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC10 – Food and Drink uses
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings
- Policy DC26 – Development and Noise

The Places for Everyone Plan - Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat2 – City Centre
- Policy JP-P2 – Heritage
- Policy JP-P4 – New Retail and Leisure Uses in Town Centres

National Planning Policy Framework (NPPF)

- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 – Conserving and Enhancing the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy for Waste

Issues

Principle of the development

The application site lies within the heart of Manchester City Centre, where restaurants and cafés are considered to be acceptable in principle as part of supporting the vitality and vibrancy of the area. The growth of this type of use has been a key part of the attractiveness of the City Centre as a place to both live, visit and work.

The proposal would be consistent with policies SP1, EC3, CC1, CC2 and C10 of the Core Strategy by developing a vacant floor of a property in the heart of the City Centre. It would support the daytime and evening economy and contribute positively to the aspirations of further regenerating Manchester City Centre. On this basis the proposal is considered to be acceptable in principle subject to the matters discussed below.

Visual Amenity

The proposed change of use would, as mentioned above, be accompanied by multiple external alterations comprising of the installation of a new doorway within the property's south-eastern entrance, replacement of lights along the property's Peter Street elevation, installation of menu boards to the front and rear of the premises and installation of rooftop plant.

The proposed timber doorway in comparison to the existing is considered to be sympathetic property, with its octagonal decorative design being derived from historical images of the application site. The use of such a door within the Deansgate Conservation Area is encouraged and would help the front elevation of the application site to harmonise with its surroundings. The proposed heritage style light fittings are also considered to be an appropriate choice and a visual upgrade that would also fit with the neighbouring street scene and compliment the appearance of the host property.

The proposed menu boards would have a depth of 40mm, this projection is considered to be minimal and would not give them an overly bulky or noticeable appearance. Their placement adjacent to the restaurant's two entrances is also considered appropriate, with such a design choice being commonplace for restaurants throughout the City Centre. Additionally, due to their size and the lack of other ancillary additions to the external elevations of the property, it is not considered that they would add to visual clutter within the local vicinity.

The proposed rooftop plant would be obscured from views at street level, with it being setback from the edge of the property and it being located adjacent to existing plant and a rooftop access extension. On this basis, it is considered the visual impact of the development is acceptable and is therefore in accordance with Core Strategy Policies EN1 and DM1, and the National Planning Policy Framework.

Heritage

The application would see the external alteration of a Grade II listed building in the Deansgate Conservation Area. The octagonal design of the front entrance would add visual interest to the property, whilst also being historically sympathetic and resonate of its original door design. The proposed menu boards are considered to be of a size and design that is sympathetic to the host property and that would not be overly prominent. Furthermore, it is considered that the use of external menu boards on buildings in restaurant uses is a common arrangement within the City Centre on both historic and modern buildings. The proposed rooftop plant would be set back from the edge of the property's roof and would thus be obscured from wider views within both the Deansgate Conservation Area and St Peters Square Conservation Area. On this basis it is considered the development would have a neutral impact on the significance of the grade II listed host property, neighbouring listed buildings and the Deansgate and St Peter's Square Conservation Areas.

In light of the above, the proposal would meet the statutory test to preserve as put forward under section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and as such is in accordance with policies SP1, CC1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

The proposal would see the development of a restaurant within Manchester City Centre in an area populated by a high number of properties in various commercial uses. Fumes and cooking odours associated with the proposed use would be extracted and then dispersed through rooftop plant. The submission has been accompanied by supporting information that details the acoustic, fumes and plant measures to be implemented as part of the development. Environmental Health do not object to the submitted information subject to conditions that would require the development to proceed in accordance with said documents and that would then require verification reports to be submitted in order to ensure that the measures implemented ensure that neighbouring amenity is not adversely affected. Within their consultation response Environmental Health also requested that in the event of an approval the proposal should be conditioned in line with the proposed hours of opening and that deliveries be limited to between 07:30 to 20:00, Monday to Saturday with Sundays/Bank Holidays being confined to 10:00 to 18:00.

It is also considered necessary that due to external lighting being proposed that any approval be conditioned so that it does not cause glare to neighbouring properties. Subject to the above conditions and taking into account the City Centre location of the development, the proposal is acceptable in this regard and therefore accords with Core Strategy Policies C10 and DM1, Saved Unitary Development Plan Policy DC26 and the National Planning Policy Framework.

Anti-social and Criminal Behaviour

The submission has been accompanied by a crime impact statement that details various design methods to assist in preventing and discouraging anti-social and criminal behaviour on site. Greater Manchester Police do not object to the proposal subject to the development proceeding

in accordance with the submitted crime impact statement. Subject to a condition that would secure this, as well as require the submission of evidence that the development has achieved a secured by design accreditation, the development is acceptable in this regard and therefore accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Highway Safety

The application site is located in a highly sustainable location within the City Centre that lies in walking distance of public transport links and amenities. No car parking provision is proposed as part of the development. The submission has been accompanied by a construction environmental management plan that details the proposed construction phase of the development would take place over the course of a six month period. Highways do not object to the proposal subject to it proceeding in accordance with the aforementioned plan. Subject to such a condition, the development is acceptable in this regard and therefore accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Waste Management

The submitted proposed floors and waste management proforma denote that the restaurant's bins would be stored within an internal bin store, the store capable of accommodating 82no 240l bins. Bins would be presented for collection on Bootle Street and would be taken from the basement level of the property to ground floor via a service lift. Subject to a condition that would see the proposed store made available for use prior to the first occupation of the development, the proposal is acceptable in this regard and therefore accords with Core Strategy Policies EN19 and DM1 and the National Planning Policy for Waste.

Conclusion

In light of the above it has been found that subject to planning condition, the proposal is acceptable and accords with Core Strategy Policies SP1, EC3, CC1, CC2, CC5, CC9, C10, EN1, EN3, EN19 and DM1, Saved Unitary Development Plan Policies DC10, DC18, DC19 and DC26, Places for Everyone Plan Policies JP-Strat2, JP-P2 and JP-P4, the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy for Waste, and the National Planning Policy Framework. The development is therefore recommended for approval.

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 in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

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:

- AXI L00 Stage 3 Rev 00: Location and site plans
- AXI L01 Stage 3 Rev 00: Location and site plans
- AXI - 010 Stage 3 Rev 00: Ground & Basement Floor Demolition Plans
- AXI - 110 Stage 3 Rev 00: Proposed Partition Details
- AXI - 111 Stage 3 Rev 00: Typical Shadoe Gap Detail As Proposed (Received 20/12/2023)
- AXI - 500 Stage 3 Rev 00: Proposed Ceiling Details
- AXI - 501 Stage 3 Rev 01: Proposed external wall details (Received 12/04/2024)
- AXI - 504 Stage 3 Rev 00: Proposed Floor Details
- 23-161 JD-01 Rev I: Planning: Proposed Ground Floor Entrance (Received 15/03/2024)
- 23-161 JD-02 Rev D: Planning: Entrance Door Details 1/2 (Received 15/03/2024)
- 23-161 JD-03 Rec D: Planning: Entrance Door Details 2/2 (Received 15/03/2024)
- 23-161 EL-01 Rev D: Planning: Proposed External Elevations (Received 12/04/2024)
- 23-161 EL-02 Rev B: Planning: Proposed Internal Sections (Received 12/04/2024)
- 23-161 EL-03 Rev B: Planning: Proposed Internal Sections (Received 12/04/2024)
- 23-161 EL-04 Rev D: Planning: Proposed External Elevations (Received 15/03/2024)
- 23-161 EL-05 Rev C: Planning: Proposed External Elevations (Received 15/03/2024)
- 23-161 GA-01 Rev B: Planning: Proposed Ground Floor and Basement GA Plan (Received 20/12/2023)
- 23-161 GA-02 Rev A: Planning: Proposed Ground and Basement RCP (Received 20/12/2023)

o 23-161 GA-03 Rev A: Planning: Proposed Ground and Basement Ceiling Finishes (Received 20/12/2023)
o 23-161 GA-04 Rev A: Planning: Proposed Basement Partition Layout (Received 20/12/2023)
o 23-161 GA-05 Rev C: Wall Finishes Plan (Received 12/04/2024)
o 23-161 GA-06 Rev A: Floor Finishes Plan (Received 20/12/2023)
o 001-1056-11: Proposed Lower Ground Floor Extract Plan (Dated 28/11/2023; Received 18/12/2023)
o 001-1056-12: Proposed Roof Extract Plan (Dated 28/11/2023; Received 18/12/2023)
o 001-1056-SC: Proposed Site Extract Schematic (Dated 29/11/2023; Received 18/12/2023)
o Covering Letter (Prepared by Paul Butler Associates; Dated 08/08/2023; Received 08/08/2023)
o Planning Statement (Prepared by Paul Butler Associates; Dated 04/08/2023; Received 09/08/2023)
o Heritage Statement (Prepared by Stephen Levrant Heritage Architects; Dated 21/07/2023; Received 08/08/2023)
o External Shopfront Study (Prepared by Other Side; Dated 15/12/2023; Received 20/12/2023)
o Access Appraisal Statement (Prepared by AXI; Dated 17/11/2023; Received 21/11/2023)
o Pre-Acquisition Survey Report (Prepared by Paragon Dated 12/07/2021; Received 09/08/2023)
o Refuse Store Plan (Received 14/11/2023)
o Waste Management Strategy (Received 14/11/2023)
o Construction Environmental Management Plan & Construction Method Statement Issue 2 (Dated September 2023; Received 06/10/2023)
o Environmental Noise Survey and Plant Noise Assessment Report Rev 5 (Prepared by Hann Tucker Associates; Received 18/12/2023)
o Email correspondence RE acoustics (Prepared by Paul Butler Associates; Dated & Received 18/12/2023)
o Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Prepared by Chapman Ventilation; Dated 20/04/2023; Received 18/12/2023)
o Blacklock Manchester - Extraction Cleaning Schedule (Received 22/01/2024)
o Crime Impact Statement Version A (Prepared by Greater Manchester Police Design for Security; Dated 12/01/2022; Received 09/08/2023)

Stamped as received by the City Council as Local Planning Authority on 09/08/2023 unless specified otherwise.

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 and the National Planning Policy Framework

3) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the Environmental Noise Survey and Plant Noise Assessment Report Rev 5 (Prepared by Hann Tucker Associates; Received 18/12/2023) and email correspondence (Prepared by Paul Butler Associates; Dated & Received 18/12/2023). The approved scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority, and shall then remain in situ for the lifetime of the development.

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, including cavity insulation recommendations. 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 nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

4) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with the Environmental Noise Survey and Plant Noise Assessment Report Rev 5 (Prepared by Hann Tucker Associates; Received 18/12/2023). The approved scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority, and shall then remain in situ for the lifetime of the development.

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 safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

5) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the following documentation:

o Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Prepared by Chapman Ventilation; Dated 20/04/2023; Received 18/12/2023)
o Drawing no. 001-1056-11: Proposed Lower Ground Floor Extract Plan (Dated 28/11/2023; Received 18/12/2023)
o Drawing no. 001-1056-12: Proposed Roof Extract Plan (Dated 28/11/2023; Received 18/12/2023)
o Drawing no. 001-1056-SC: Proposed Site Extract Schematic (Dated 29/11/2023; Received 18/12/2023)
o Blacklock Manchester - Extraction Cleaning Schedule (Received 22/01/2024)

The approved scheme and measures shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority and shall then operate in perpetuity for the lifetime of the development.

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 - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

6) a) The development shall be carried out in accordance with the Crime Impact Statement Version A (Prepared by Greater Manchester Police Design for Security; Dated 12/01/2022;

Received 09/08/2023). The development shall only be carried out in accordance with these approved details.

b) The restaurant hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

7) The development hereby approved shall be lit in accordance with the following drawings unless otherwise agreed in writing by the Local Planning Authority:

- 23-161 JD-02 Rev D: Planning: Entrance Door Details 1/2 (Received 15/03/2024)
- 23-161 JD-03 Rec D: Planning: Entrance Door Details 2/2 (Received 15/03/2024)
- 23-161 EL-01 Rev D: Planning: Proposed External Elevations (Received 12/04/2024)
- 23-161 EL-04 Rev D: Planning: Proposed External Elevations (Received 15/03/2024)
- 23-161 EL-05 Rev C: Planning: Proposed External Elevations (Received 15/03/2024)

Reason - To ensure that the development makes a positive contribution to the setting of the Deansgate Conservation Area and so that it does present an unacceptable hazard to road users in accordance with Core Strategy Policies CC9, EN1, EN3 and DM1, and the National Planning Policy Framework.

8) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

9) All external illumination hereby approved shall be no brighter than 250cd/m2 at any time and shall be illuminated to 2700K (Warm light) for the lifetime of the development.

Reason - To ensure that the appearance of the development and listed building is acceptable to the City Council as Local Planning Authority in the interests of the visual amenity of the area within which the site is located and the historical significance of the listed building, as specified in policies SP1, CC9, EN3 and DM1 of the Core Strategy, saved policies DC19.1 of the Unitary Development Plan and National Planning Policy Framework.

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

- Monday to Saturday 11:30 to 00:00
- Sunday and Bank Holidays 11:30 to 22:00

Reason - To safeguard the amenities of nearby residential occupiers, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

11) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, Sunday/Bank Holiday deliveries etc. shall be confined to 10:00 to 18:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

12) The development shall proceed in accordance with the submitted Construction Environmental Management Plan & Construction Method Statement Issue 2 (Dated September 2023; Received 06/10/2023) and shall be adhered to for the duration of the construction phase of the development.

Reason - In the interest of highway and pedestrian safety in accordance with Core Strategy Policy DM1 and the National Planning Policy Framework.

13) The restaurant hereby approved shall store, dispose and present its waste and recycling in accordance with the following submitted documentation:

- Refuse Store Plan (Received 14/11/2023)
- Waste Management Strategy (Received 14/11/2023)
- Drawing No.AXI L01 Stage 3 Rev 00: Location and Site Plans (Received 09/08/2023)

The approved documents shall be adhered to for the lifetime of the development.

Reason - In the interest of public health and amenity, in accordance with Core Strategy Policy DM1, the National Planning Policy for Waste and the National Planning Policy Framework.

14) The disabled access hereby approved shall be made available prior to first use and shall remain operational for the lifetime of the development.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

10 Southmill Street, Manchester, M2 3NW
First Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
C, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Fourth Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Fifth Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Radisson Edwardian , Hotel, Peter Street, Manchester, M2 5GP
Second Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
First Floor To Third Floor, 47 Peter Street, Manchester, M2 3NG
35 Peter Street, Manchester, M2 5GD
Ground Floor, 35 Peter Street, Manchester, M2 5GD
Fifth Floor, 35 Peter Street, Manchester, M2 5GD
Fourth Floor, 35 Peter Street, Manchester, M2 5GD
Third Floor Rear, 47 Peter Street, Manchester, M2 3NG
Third Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5QD
47 Peter Street, Manchester, M2 3NG
Club Coliseum, Peter Street, Manchester, M2 3NQ

Appendix 2 – Planning constraints

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