

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136638/FO/2023 and 136639/LO/2023

Date registered valid: 30 March 2023

Proposal: Creation of restaurant /take away (Sui generis) with external alterations comprising installation of louvres within existing signage structure of the front elevation.

Listed Building Consent for internal and external alterations associated with creation of restaurant /take away

Address: 95 Oxford Street, Manchester, M1 6ET

Ward(s): Piccadilly Ward

Applicant: Trunk Restaurant Ltd

Agent (if any): Mr Benedict Sacarello WSP

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 September 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 9 May 2023

Standard consultations:

Printed: 14 April 2023 Expired: 5 May 2023

Neighbour notifications

Printed: 14 April 2023 Expired: 5 May 2023

Site notice

Posted: 25 April 2023 Expired: 16 May 2023

Press advert

Published: 18 April 2023 Expired: 9 May 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The application relates to the Grade II Listed St James Buildings, which is a substantial eight storey building that was built in 1912 in the Edwardian Baroque style and designed by Charles Clegg and Son of Manchester and Fryer and Penman of Glasgow. It was designed as the headquarters of the Calico Printers Association Ltd. which was formed in 1899 and was a textile printing and merchant company.

St James Buildings is bounded by Oxford Street, The Rochdale Canal, the Grade II Listed Portland Buildings and the grounds of Linley House. Oxford Street is a highly trafficked route from South Manchester into the City Centre, is a particularly busy bus route and experiences extremely high footfall.

The surrounding area contains a large number of listed buildings include the Grade II* Listed Churchgate House, the Grade II Listed Palace Theatre and the Grade II Listed Portland Buildings. The site is also within the Whitworth Street Conservation Area.

The building is currently used as a mixed-use building that predominantly houses offices, but also houses educational uses and has shops, bars, restaurants and cafes at the ground floor.

Surrounding uses include The Place Theatre, Oxford Road Train Station, residential accommodation, multi-storey car parking, offices, restaurants, hotels, cafes and shops.

The area subject of this application is a ground floor unit that was previously used as a florist shop.

Description of development

Planning permission is sought for the use of the premises as a restaurant/takeaway (Sui Generis) along with the installation of fume extraction louvres with the existing signage structure. A rubber ramp would also be installed to provide level access through the existing doorway.

Listed building consent is sought for the following works:

- The removal of non-original boxing and the existing suspended ceiling
- The installation of ceiling mounted fume extraction equipment to be exposed within the internal space and the installation of fume extraction louvres with the existing signage structure.
- The installation of festoon lights and wall mounted lights.
- The installation of a full height partition, half height partition and wall coverings on some walls to provide protection where needed.
- The installation of a rubber ramp to provide level access through the existing doorway.
- The application of levelling screed to floors.
- The installation of kitchen equipment.
- Making good of damaged original fabric.

The existing non-original shop front is to be retained.

Consultations & Notification Responses

Publicity –

136639/LO/2023 - The application was advertised in the local press as an application for listed building consent and as affecting a conservation area, letters were sent to surrounding occupiers and a site notice was displayed on site - No replies have been received.

136638/FO/2023 - The application was advertised in the local press as affecting a listed building and as affecting a conservation area, letters were sent to surrounding occupiers and a site notice was displayed on site - No replies have been received.

Highway Services - Confirmed no objection.

Environmental Health - Recommended conditions to require validation reports for fumes and acoustics to be approved, require submission and approval of an acoustic report for external equipment, require implementation of the waste management strategy and restrict opening hours, servicing hours and construction hours.

Greater Manchester Police - Recommend the provision of a comprehensive CCTV system and that any new shopfront fittings are certified to Secured by Design standards.

Issues

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy EN19 (Waste) requires all developers, including those of new waste management facilities within the District, to demonstrate the proposal's consistency with the principles of the waste 209 Objective 6 Environment 12 Manchester City Council | Manchester Core Strategy 2012 to 2027 hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal)

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that:

- Development in all parts of the City should:
- protect and enhance the built environment.
- create well designed places that enhance or create character.
- make a positive contribution to the health, safety, and wellbeing of residents
- consider the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity, or income.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.
- Maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed, and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage. Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation should be fully considered. Buildings and neighbourhoods should be made fully accessible to disabled people and new development should be sited so that it can be accessed by sustainable transport modes. Community safety and crime prevention should be considered. Refuse storage and collection should be managed.

Policy CC4 (Visitors, Tourism and Leisure) advises that development in the City Centre which improves facilities for visitors, including Manchester residents, will be promoted.

Policy CC7 (Mixed Use Development) advises that the City Centre presents the most viable opportunities for mixed-use development, and in general these will be promoted as a means of using land as efficiently as possible. Active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a development which will create such an environment.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: - Is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health,

leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites

The Unitary Development Plan for the City of Manchester

Saved policies DC10.1-10.4 (Food and Drink Uses) DC10.1 States that the Council will have regard to the general location of the proposed development, the effect on the amenity of neighbouring residents, ease of access for all, including disabled people; and the storage and collection of refuse and litter. The Council will normally accept the principle of developments of this kind in the City Centre, industrial and commercial areas, in shopping centres and, at ground level, in local shopping parades of more than 8 shops or offices. Conditions may be imposed in order to protect the amenity of nearby residents.

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Saved Policy DC26 (Development and Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City.

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 197 states that In determining applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 200 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant-funding or some form of not for profit, charitable or public
- c. ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Visual Amenity, including the impact on the Character and Appearance of the Affected Heritage Assets -

Under these criteria the effect of the proposal on the affected heritage assets has been considered.

These works include the repair of previous damage, the reduction of wall coverings, the exposure of a blind archway and the removal of the suspended ceiling are beneficial works

After negotiations the louvres and extraction have been sensitively located and designed. The equipment would be exposed within the interior of the unit and the louvres would be concealed by the existing signage structure.

The installation of a rubber ramp would cause damage due to fixings but would cause much less damage than any other proposals to provide level access given that the small step is original.

The installation of a kitchen would cause harm but would allow the reuse of a small unit within the building.

The covering of the tiles would cause harm, but they have been so severely damaged by previous occupiers and a level surface is required.

Conditions would be applied to application referenced 136639/LO/2022 to require full and final details of the require CCTV equipment and the kitchen fit out along with a method statement for all works to the original fabric.

Conditions would be applied to application referenced 136638/FO/2022 to require full and final details of the required CCTV equipment.

It is considered that the benefits of the proposal would outweigh the less than substantial harm caused to the affected heritage asset by the above-described works and are consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement. The benefits of the proposals are that the proposal consists of works that would repair and expose internal features of the building and allow the reuse and retention of the premises, increase security and have related maintenance due to its reuse and be made accessible for disabled people.

Given the above, the works are considered to be consistent with the above identified policies.

Residential Amenity

This is a critical issue, as amongst other things, it examines the impact that the scheme would have on nearby and adjoining occupiers. It includes the consideration of issues such as impact on noise and disturbance. The closest residential accommodation is on the opposite side of Oxford Street at the junction of Whitworth Street West.

The conditions recommended by our Environmental Health Service would be applied to the application to ensure that the proposals are acceptable with the exception of construction hours, which are not enforced by planning. The relevant construction hours are attached to the application as informatives.

The proposed uses would result in an increase in comings and goings during the evening and night and there is the potential for there to be some disturbance associated with this.

Whilst it is not possible to control such disturbance through the imposition of conditions, it is considered to be reasonable to limit the potential for people congregating near to that accommodation at an unreasonable hour by limiting the hours of operation. However, in doing so, there is a balance to be made which weighs up carefully the reasonable expectations of residents, the City Centre context, and the aspirations for the area to develop as a mixed-use destination. It is within this context that the operating hours would be limited to:

Daily 07:00 to 02:30

The site is close to St Peter's Square Metrolink Station, and Oxford Road train station and regular bus services are routed along Oxford Street.

Bins would be stored within central waste store for the building.

Given the above the proposals are considered to be in accordance with Policies SP1, CC4, CC7, EN19 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC10.1-10.4 and DC26 of the Unitary Development Plan for the City of Manchester in relation to the impact on residential amenity.

Crime and Disorder

There are no new external windows and doors. Conditions would require full and final details of the required CCTV equipment.

Given the above the proposals are considered to be in accordance with policies DM1 and SP1 of the Core Strategy for the City of Manchester in relation to the impact on crime and disorder.

Highway Safety and Impacts

The site is located within a prominent city centre location and benefits from excellent connectivity to regular Metrolink, rail and bus connections. It is likely, given the travel opportunities available, that many staff and visitors will travel to and from the site via sustainable modes.

Highways Services have confirmed that they have no objections to the proposals.

Given the above the proposals are considered to be in accordance with Section 9 of the National Planning Policy Framework and Policies SP1, CC4, CC5, CC10, T1, T2 and DM1 of the Core Strategy for the City of Manchester in relation to highway safety and impacts.

Disabled Access

Level access would be provided through the existing entrance to the unit on Oxford Street via a short rubber ramp

Given the above the proposals are considered to be in accordance with the Core Strategy for the City of Manchester, in particular Policies SP1 and DM1.

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 policies 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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. All such issues have been resolved due to the discussions within the applicant and the conditions.

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

136638/FO/2022 -

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:

The location plan referenced received by the City Council as local planning authority on 22 September 2023

The drawings referenced:

C719/1 Rev A
J1069-PL300 Rev D

all received by the City Council as local planning authority on 29 August 2023

J1069-PL200 Rev D
J1069-PL400 Rev D

received by the City Council as local planning authority on 25 July 2023

SK.01.1
CD 04 Rev A

all received by the City Council as local planning authority on 30 March 2023

The document that provides information on the proposed extract fan, UV module, ESP Modules and carbon filter received by the City Council as local planning authority on 29 August 2023

The Preventative Maintenance Recommendation prepared by Purified Air received by the City Council as local planning authority on 29 August 2023

The UV-O Range specification document prepared by Purified Air received by the City Council as local planning authority on 29 August 2023

The Technical Data Sheet prepared by Northern Fan Supplies Ltd received by the City Council as local planning authority on 29 August 2023 The UV-O Technical and Operations Manual prepared by Purified Air received by the City Council as local planning authority on 29 August 2023

The MFU Range specification document prepared by Purified Air received by the City Council as local planning authority on 29 August 2023

The ESP Range specification document prepared by Purified Air received by the City Council as local planning authority on 29 August 2023

The ESP Technical and Operations Manual prepared by Purified Air received by the City Council as local planning authority on 29 August 2023

The Heritage Statement prepared by WSP received by the City Council as local planning authority on 5 June 2023

The Ventilation Statement received by the City Council as local planning authority on 30 March 2023

The Noise Assessment prepared by AEC referenced P4751/R01b/WJK dated 31st May 2023 received by the City Council as local planning authority on 2 June 2023

The Waste and Operating Statement received by the City Council as local planning authority on 30 March 2023

The completed waste management proforma received by the City Council as local planning authority on 30 March 2023

The emails from WSP dated 19 May 2023, 2 June 2023, 8 June 2023 and 14 June 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC9, EN1, EN3 and DM1 of the Core Strategy, saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

3) Notwithstanding the information detailed within Condition 2 of this application, full details of CCTV provision at the premises, shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the commencement of the use hereby approved. The works shall be carried out fully and only in accordance with the approved details prior to the first use of the development hereby approved.

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.

4) 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 the installation of the equipment 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.

b) Prior to first operation of the equipment hereby approved, 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 works 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 the occupiers of nearby accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

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

- The document that provides information on the proposed extract fan, UV module, ESP Modules and carbon filter received by the City Council as local planning authority on 29 August 2023

- The Preventative Maintenance Recommendation prepared by Purified Air received by the City Council as local planning authority on 29 August 2023
- The UV-O Range specification document prepared by Purified Air received by the City Council as local planning authority on 29 August 2023
- The Technical Data Sheet prepared by Northern Fan Supplies Ltd received by the City Council as local planning authority on 29 August 2023
- The UV-O Technical and Operations Manual prepared by Purified Air received by the City Council as local planning authority on 29 August 2023
- The MFU Range specification document prepared by Purified Air received by the City Council as local planning authority on 29 August 2023
- The ESP Range specification document prepared by Purified Air received by the City Council as local planning authority on 29 August 2023
- The ESP Technical and Operations Manual prepared by Purified Air received by the City Council as local planning authority on 29 August 2023
- The Ventilation Statement received by the City Council as local planning authority on 30 March 2023
- The Noise Assessment prepared by AEC referenced P4751/R01/WJK received by the City Council as local planning authority on 2 June 2023

b) Before the first use of the fume extraction approved within part (a) of this planning condition, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been fully implemented.

c) The equipment shall then be operated and maintained only in accordance with the above approved documents for the duration of the use.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

6) Prior to the first use of the development hereby approved, the scheme to acoustically insulate the internal areas of the premises shall be implemented fully and only in accordance with the Noise Assessment prepared by AEC referenced P4751/R01b/WJK dated 31st May 2023 received by the City Council as local planning authority on 2 June 2023.

b) Upon completion of the development and before the use hereby approved becomes operational, a verification report shall be undertaken 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 above criteria is 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 noise criteria. This report shall be submitted to and approved in writing by the City Council as local planning authority before the use becomes operational along with a timescale that confirms when any necessary changes will be implemented.

Reason - To ensure an acceptable development in the interests of residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

7) The scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the Waste and Operating Statement received by the City Council as local planning authority on 30 March 2023 and the completed waste management proforma received by the City Council as local planning authority on 30 March 2023 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

8) The access measures for disabled people to gain access into and throughout the premises as shown on the drawing referenced J1069-PL200 Rev D, the emails from WSP dated 19 May 2023, 8 June 2023 and 14 June 2023 shall be fully implemented before the use hereby approved commences and shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies CC10, T2, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester.

9) No loading or unloading shall be carried out on the site outside the hours of:

07:30 to 20:00 - Monday to Saturday,

10:00 to 18:00 - Sunday/Bank Holiday

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

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

Daily 07:00 to 02:30

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.

11) The windows at ground level, fronting onto Oxford 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.

136639/LO/2022 -

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

The location plan referenced received by the City Council as local planning authority on 22 September 2023

The drawings referenced:

C719/1 Rev A
J1069-PL300 Rev D

all received by the City Council as local planning authority on 29 August 2023

J1069-PL200 Rev D
J1069-PL400 Rev D

received by the City Council as local planning authority on 25 July 2023

SK.01.1
CD 04 Rev A

all received by the City Council as local planning authority on 30 March 2023

The document that provides information on the proposed extract fan, UV module, ESP Modules and carbon filter received by the City Council as local planning authority on 29 August 2023
The Heritage Statement prepared by WSP received by the City Council as local planning authority on 5 June 2023

The emails from WSP dated 19 May 2023, 2 June 2023, 8 June 2023 and 14 June 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, CC9, EN1, EN3 and DM1 of the Core Strategy, saved policies DC18.1 and DC19.1 of the Unitary Development Plan.

3) The works hereby approved shall not commence until a full method statement for all works to the original fabric of the premises including wall coverings, finishes, lighting, M&E etc. has been submitted to and approved in writing by the City Council as local planning authority. The works shall then be carried out only in accordance with the approved method statement and all works within the approved method statement shall be completed prior to the first use of the property as a restaurant/takeaway.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with policies EN3 and CC9 of the Core Strategy and saved policy DC19.1; of the Unitary Development Plan.

4) Notwithstanding the information detailed within Condition 2 of this application, full details of CCTV provision at the premises, shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the commencement of the reuse of the property. The works shall be carried out fully and only in accordance with the approved details and shall be completed prior to the first use of the property as a restaurant/takeaway.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with policies EN3 and CC9 of the Core Strategy and saved policy DC19.1; of the Unitary Development Plan.

5) Full details of the kitchen fit-out and associated connections to power and water shall be submitted to and approved in writing by the City Council as local planning authority prior to any creation of openings or installation of kitchen equipment. The kitchen fit out shall then be carried out fully and only in accordance with the approved information and shall be completed prior to the first use of the property as a restaurant/takeaway.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with policies EN3 and CC9 of the Core Strategy and saved policy DC19.1; of the Unitary Development Plan.

6) The windows at ground level, fronting onto Oxford 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.

Informatives

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council' Environmental Health Service:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

2) Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Window Display 1, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Window Display 2, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Eighth Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
81 Oxford Street, Manchester, M1 6EG
Third Floor, St. James Building, 79 Oxford Street, Manchester, M1 6FQ
Window Display 3, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Second Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
91 - 93 Oxford Street, Manchester, M1 6ET
Upper Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ninth Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Fourth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Basement, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Palace Theatre, Oxford Street, Manchester, M1 6FT
Ground Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Sixth Floor, St. James Building, 79 Oxford Street, Manchester, M1 6HT
J Sainsbury Plc, 51 Whitworth Street West, Manchester, M1 5EA
Fifth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
The Stage Door, 97 Oxford Street, Manchester, M1 6ET
Seventh Floor, St. James Building, 79 Oxford Street, Manchester, M1 6HT
First Floor, St James Building, 79 Oxford Street, Manchester, M1 6PP
Window Display 5, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Third Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Ground Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
First Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Sixth Floor, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU
Basement Store, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Second Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Fourth Floor, St. James Building, 79 Oxford Street, Manchester, M1 6HT
St James Court, Oxford Street, Manchester, M1 6FQ
First Floor Suite 7, St James Court, Oxford Street, Manchester, M1 6FQ
First Floor Suite 2, St James Court, Oxford Street, Manchester, M1 6FQ
First Floor Suite 8-9, St James Court, Oxford Street, Manchester, M1 6FQ
Suite 1, St James Court, Oxford Street, Manchester, M1 6FQ
60 Oxford Street, Manchester, M1 5EE
Basement Office, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Fifth Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6EQ
Window Display 4, Broadhurst House, 56 Oxford Street, Manchester, M1 6EU

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 - Whitworth Street Conservation Area 1985
Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL