

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137851/JO/2023
Date registered valid: 15 August 2023
Proposal: Variation of Condition 2 (approved plans) attached to Planning Permission ref. 120392/FO/2018
Address: 40 Chorlton Street, Manchester, M1 3HW
Ward(s): Piccadilly Ward

Applicant: Hanover Square Hospitality Group Ltd
Agent (if any): Lynsay Butler Associates Ltd Paul Butler Associates
Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 14/11/2023

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Retail

Date of site visit:

Standard consultations:

Printed: 31 August 2023 Expired: 21 September 2023

Neighbour notifications

Printed: 31 August 2023 Expired: 21 September 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site is within The Village and is bounded by Chorlton Street, Canal Street and Richmond Street. The building is five storeys in height with a single level basement, and is currently vacant, having previously been used as a bar / nightclub at ground and basement level, with a restaurant / cabaret venue on upper floors. The building is not listed but is located within the Whitworth Street / Princess Street Conservation Area.

Listed building: Not applicable

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order:

Description of area

The area relates to Manchester's Gay Village, an internationally renowned LGBTQ+ cultural hub in Manchester's city centre. The character of the area comprises many different uses, including dining, drinking, nightclubs, residential, office and entertainment.

Description of development

The application seeks to vary the plans approved under app. ref. 120392/FO/2018 to allow for the installation of new doors, windows, decorative louvre screens, lighting and security equipment commensurate with a new restaurant and bar use to the currently vacant ground floor and basement of the building.

Consultations & Notification Responses

Publicity - letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Highways Services - no objection in principle. States all non-fire doors should open internally.

Design for Security at Greater Manchester Police - no comment.

Environmental Health - recommended updated noise conditions due to the increased potential for breakout noise from the new, openable windows and noise from new plant installations associated with the installation of the new louvre screens.

Issues

The main policies that relate to this application are policies SP1 (Spatial Principles), DM1 (Development Management), EN3 (Heritage) and CC9 (Design and Heritage) of the Manchester Core Strategy (2012), saved policies DC18 (Conservation Areas) and DC26 (Development and Noise) of the Unitary Development Plan for Manchester (1995) and the National Planning Policy Framework, especially Section 12 (Achieving well design places) and Section 16 (Conserving and enhancing the historic environment).

Principle

Application reference 120392/FO/2018 gave permission for a Class E use to the ground floor and basement of the building and hence the principle of this use here is established. The proposal seeks to vary the drawings approved under this application to allow for external alterations to the building. These would include new doors, windows and plant screens that will be installed pursuant to the operation of the unit as a Class E use.

The proposal would see the installation of new openable windows which would create a more permeable elevation, with new brickwork below which would replace non-original glazed brick and allow for the installation of discreet trickle ventilation. The Canal Street entrance would be relocated to aid a reconfiguration of the internal layout. A side entrance on Chorlton Street, to the north of the main hotel entrance and which is currently boarded up, would have a new panel installed to give the appearance of a doorway, although it would remain unusable owing to internal layout requirements. To the rear of the unit, on Richmond Street, where new externally mounted plant is to be installed, new, bespoke-design louvres screens to shield the plant from view would be installed.

As the works are necessary to facilitate the reconfiguration of the internal floorplan and to allow for the installation of plant necessary for the ground floor and basement to be brought into its approved use, the principle of the works is considered acceptable pursuant to policy DM1 and SP1 of the Manchester Core Strategy.

Visual Amenity

The proposal would see the installation of new timber windows on the Canal Street elevation to echo the design of the hotel windows up above. These would not be casements as on the hotel, but of a sliding sash design to ensure opening the windows does not interfere with pedestrian traffic on Canal Street. The windows on the Chorlton Street elevation would be of a single pane design, similar to that currently in situ and approved under app ref. but with timber frames to echo the hotel windows.

The use of timber, a traditional material, for the frames is supported in the building, which is a non-designated heritage asset within a conservation area and hence the use of traditional materials is considered appropriate. The use of another material would unpleasingly juxtapose with the timber windows up above. The proposed material would create harmony with the upper floors.

The new Canal Street door would be of a slimline aluminium construction. It is designed to echo the form of the large double height entrance doors to the hotel on Chorlton Street, thereby providing an aesthetic continuity with the rest of the building as would be achieved with the new windows. These two aspects of the elevational alterations would help given an impression of a cohesive, holistically designed development.

To the Richmond Street elevation, where the new plant is to be installed in the four window/archway openings that are current filled in glazed brick, there would be plant screens installed to hide the plant from view in public vantage points.

The proposal would see bespoke plant screens installed, fabricated from anodized aluminium with the covers cut in a honeycomb-style pattern in a nod to the well-known Manchester bee motif. Where it is not required for the screen to be full height in the northern-most opening, there would be a gradual transition from the honeycomb pattern to solid, as if in a cascade, to increase the visual interest of the screens and wider elevation.

Visually, the works are considered to be acceptable pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012), which require impacts on amenity, including visual amenity, to be considered by the City Council when determining planning applications.

Impact on the conservation area

The renovation works to the upper floors approved under app ref. 120392/FO/2018 caused a significant visual uplift to this end of Canal Street, thereby enhancing the character and appearance of the conservation area. Much of the improvement to the façades came from the installation of new windows and doors which reversed the appearance of dereliction and decline that had characterised the building's appearance hitherto.

The ground floor windows on Chorlton Street and Canal Street are in a poor state of repair and have been covered in vinyls for a number of years, creating a low-quality, inactive frontage in a prominent location in the Village, to the detriment of the appearance of the conservation area. The installation of new windows at this location would help ameliorate this issue and create visual uplift in a manner similar to what the works to the upper floors have achieved.

As noted above, the use of materials and design for the windows and doors that echo existing elements on the building would create an impression of a complete, cohesive design across the building. The timber used in the windows is a traditional material befitting the setting of a conservation area, whilst the doors are either in timber to echo the existing large timber door on Chorlton Street or of a lightweight, highly glazed design that would be visually unobtrusive.

The louvre screens on Richmond Street would replace existing glass brick infills with high-level ventilation outlets which are the remnants of previous bar/restaurant uses at this location. These infills are in poor condition and incongruous elevational elements which detract from the street scene. The new louvres would represent an improvement on this situation. Whilst they would be read as a clearly modern intervention into the elevation, this is in the context of other modern doorways associated with the hotel use on this elevation. The anodized finish and bespoke design outlined above would ensure the screens are of a higher-quality materiality and appearance to the modern doors, which are of standard louvre and security door designs. The new screens would create an element of visual interest in the street scene, to the betterment of the appearance of the conservation area.

Given the above, it is considered that the elevational alterations sought under this application would enhance the appearance of the conservation area by activating the ground floor of 40 Chorlton Street, replacing unsightly and decaying elevational elements and creating a coherence with the rest of the building's portals. The development is therefore considered to be in accordance with policy DC18 of the Unitary Development Plan (1995) and policies CC9 and EN3 of the Manchester Core Strategy (2012).

Noise

Although the application does not seek the installation of new plant, the new louvre screens considered under this application are associated with new plant to be installed in relation to the restaurant/bar use. Thus, Environmental Health have requested a plant noise assessment is undertaken, together with post-completion validation, to ensure there is not an unacceptable level of noise created by this new installation. Furthermore, as the new windows could potentially lead to greater levels of breakout noise from the restaurant/bar, a similar noise assessment is requested to confirm adequate acoustic insulation in relation to the restaurant/bar use.

Appropriate conditions are attached to this approval and therefore the development is considered acceptable pursuant to saved policy DC26 of the Unitary Development Plan for Manchester (1995) which requires consideration of the acoustic impacts of new development.

Highways

The application was assessed by Highways Services, who requested that all door open inwards with the exception of fire doors. This was confirmed by the applicant.

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

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. Officers held pre-application discussions with the applicant to establish the in-principle acceptability of the proposed development.

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,

Site Location Plan, showing site edged red, (dwg ref. 4672-00000)

- Demolition Plan Level -02 (dwg ref. 4672-10500);
- Demolition Plan Level -01 (dwg ref. 4672-10501);
- Demolition Plan Level 00 (dwg ref. 4672-10502 Rev A);
- Demolition Plan Level 01 (dwg ref. 4672-10503);
- Demolition Plan Level 02 (dwg ref. 4672-10504);
- Demolition Plan Level 03 (dwg ref. 4672-10505);
- Demolition Plan Level 04 (dwg ref. 4672-10506);
- Demolition Plan Level Roof (dwg ref. 4672-10507);
- Proposed Site Plan (dwg ref. 4672-20000);
- Proposed Level -02 Plan (dwg ref. 4672-00200);
- Proposed Level -01 Plan (dwg ref. 4672-00201);
- Proposed Level 00 Plan (dwg ref. 4672-00202 Rev A);
- Proposed Level 01 Plan (dwg ref. 4672-00203);
- Proposed Level 02-04 Plan (dwg ref. 4672-00204);
- Proposed Level 05 Plan (dwg ref. 4672-00205);
- Proposed Level 06 Plan (dwg ref. 4672-00206);
- Proposed Roof Plan (dwg ref. 4672-00207);

Received by the City Council, as Local Planning Authority, on 21/06/2018 (originally approved under app. ref. 120392/FO/2018)

- Proposed Elevation Canal Street (dwg ref. 00210 Rev A);
- Proposed Elevation Canal Street (Colour) (dwg ref. 00210 Rev A);
- Proposed Elevation Richmond Street (dwg ref. 00212 Rev A);
- Proposed Elevation Richmond Street (Colour) (dwg ref. 00212 Rev A);
- Proposed Chorlton Street Section (dwg ref. 00213)

Received by the City Council, as Local Planning Authority, on 28/06/2018 (originally approved under app. ref. 120392/FO/2018)

- Drawing - Proposed EXTERNAL LIGHTING AND SIGNAGE
- Drawing - Proposed 5062-HMA-CH-ZZ-DR-A-20201 REV C1 NORTH WEST (RICHMOND ST.) ELEVATION 20.2 GENERAL ARRANGEMENT ELEVATIONS

Received by the City Council, as Local Planning Authority, on 29/05/2023 (originally approved under app. ref. CDN/19/0131)

-Drawing - Proposed SIGNAGE (Document ref. Prior.Studio LEVEN Signage) received by the City Council as Local Planning Authority on 26/08/2021 (as originally partially discharged under app. ref. CDN/21/0633 relating to the hotel use on the upper floors)

-Drawing - Proposed 00211 Rev C STREET ELEVATION received by the City Council, as Local Planning Authority, on 29/07/2021 (originally approved under app. ref. 131203/NMC/2021)

- Drawing - Proposed M-300 C09 BASEMENT LEVEL 1 VENTILATION LAYOUT
- Drawing - Proposed M-301 C09 GF VENTILATION LAYOUT
- Drawing - Proposed M-302 C07 1F VENTILATION LAYOUT
- Drawing - Proposed M-303 C07 2F VENTILATION LAYOUT
- Drawing - Proposed M-304 C07 3F VENTILATION LAYOUT
- Drawing - Proposed M-305 C07 4F VENTILATION LAYOUT
- Drawing - Proposed M-306 C05 5F VENTILATION LAYOUT
- Drawing - Proposed M-307 C010 6F VENTILATION LAYOUT
- Drawing - Proposed M-601 C05 6F PLANT AREA
- Drawing - Proposed 00211 C ELEVATION -CHORLTON STREET
- Drawing - Proposed X9 PLANS RE CCTV

All received by the City Council, as Local Planning Authority, on 03/09/2021 (as originally partially discharged under app. ref. CDN/21/0648 relating to the hotel use on the upper floors)

- Drawing ref. 5062-HMA-CH-L6-DR-A-20110 Rev C5
- Drawing ref. 5062-HMA-CH-ZZ-DR-A-20310 Rev C1

All received by the City Council as Local Planning Authority on 08/11/2021 (originally discharged under app. ref. CDN/21/0633 relating to the hotel use on the upper floors)

- Drawing - Proposed M01 FLOOR PLAN
- Drawing - Proposed M02 FLOOR PLAN
- Drawing - Proposed M03 FLOOR PLAN
- Drawing - Proposed M04 FLOOR PLAN
- Supporting Information MEP SERVICES DESIGN SPECIFICATION
- Supporting Information RECIRCULATING EXTRACT UNIT

All received by the City Council, as Local Planning Authority, on 15/08/2023 (originally discharged under app. ref. CDN/23/0559 relating to the ground floor and basement restaurant/bar use)

- Drawing - Proposed ES_1_ REV 7 EXTERNAL ELEVATIONS
- Drawing - Proposed ES_3_ REV 2 EXTERNAL ELEVATIONS

Received by the City Council, as Local Planning Authority, on 23/10/2023

Documents:

- Waste Management WASTE MANAGEMENT PROFORMA
- Design and Access Statement (prepared by Halliday Meecham Architects dated June 2017)
- Supporting Information CRIME IMPACT STATEMENT (prepared by Design for Security at Greater Manchester Police Ref 2006/0661/CIS/02 Rev A dated 26/05/2017)
- Heritage Statement (prepared by Stephen Levrant Heritage Architecture dated June 2017)
- Heritage Statement ADDENDUM NOTE (prepared by Stephen Levrant Heritage Architecture dated 14/06/2018)
- Ecology report BAT SURVEY (prepared by Angela Graham Bat Consultancy Service dated 11/11/2016)
- Ecology report BAT SURVEY ADDENDUM (prepared by Angela Graham Bat Consultancy Service dated 20/06/2018)
- Noise assessment or information ACOUSTIC REPORT (AECOM Ref. 60541568 dated 26/04/2017)
- Supporting Information Planning Statement (prepared by CBRE dated June 2018)
- Transport or Travel information TRANSPORT STATEMENT (prepared by Vectos ref.VN70807 dated May 2017)
- Transport or Travel information FRAMEWORK TRAVEL PLAN (prepared by Vectos ref.VN70807 dated May 2017)
- Design and Access Statement Addendum (prepared by Halliday Meecham Architects dated July 2017)

-Supporting Information VENTILATION STRATEGY STATEMENT (prepared by Warmesley Associates ref.1283-11-VENT STATEMENT dated June 2017)
All received by the City Council, as Local Planning Authority, on 21/06/2018 (originally approved under app. ref. 120392/FO/2018)

-Construction Environmental Management Plan - Manchester and Cheshire Construction/ Cringle Corporation - June 2018

-Feasibility Statement - Cringle Corporation Limited - June 2018

-Noise assessment or information (prepared by Waterman Infrastructure and Environment Ltd ref. WIE13555-100-R3.2.2 dated June 2018)
received by the City Council, as Local Planning Authority, on 28/06/2018 (originally approved under app. ref. 120392/FO/2018)

-Noise assessment or information ACOUSTIC DESIGN REPORT

-Supporting Information CONSTRUCTION PHASE PLAN

-Supporting Information CONDITION 5 DES MEASURES CRIME IMPACT STATEMENT

Received by the City Council, as Local Planning Authority, on 18/02/2019 (originally approved under app. ref. CDN/19/0131)

-Correspondence RE CONDITIONS received by the City Council, as Local Planning Authority, on 07/03/2019 (originally discharged under app. ref. CDN/19/0131)

-Supporting Information APPENDIX A ROAD RECEPTORS

-Supporting Information ENV-FOR-015 BE A GOOD NEIGHBOUR

-Supporting Information ENV-FOR-028 NOISE AND VIBRATION TOOLBOX TALK

-Supporting Information REV A DUST CONTROL STRATEGY

-Supporting Information SAF-FOR-159 NOISE ASSESSMENT FORM

-Supporting Information SAF-PROC-026 NOISE PROCEDURE

-Supporting Information SAF-PROC-040 HAND ARM VIBRATION PROCEDURE

Received by the City Council, as Local Planning Authority, on 14/05/2019 (originally approved under app. ref. CDN/19/0131)

-Correspondence EMAIL FROM AGENT RE: LIGHTING

-Supporting Information ELLIS2 TOWAY PRODUCT SPECIFICATION

-Supporting Information MOTO HIGH POWER - SCREEN GLASS PRODUCT SPECIFICATION

Received by the City Council, as Local Planning Authority, on 29/05/2023 (originally approved under app. ref. CDN/19/0131)

-LEVEN Management Plan, 40 Chorlton Street

-Document ref. Survey And Site Specific RAMS

received by the City Council, as Local Planning Authority, on 26/08/2021 (originally discharged under app. ref. CDN/21/0633 relating to the hotel use on the upper floors)

-Supporting Information DRAWINGS AND SPECIFICATIONS

-Supporting Information SPECIFICATIONS AND DRAWINGS

-Noise assessment or information ACOUSTIC REPORT (ref WIE13555-100-TN-210323 Condition 16)

-Supporting Information CCTV SPECIFICATION

-Supporting Information DRAWINGS AND SPECIFICATIONS

-Supporting Information SPECIFICATIONS AND DRAWINGS

All received by the City Council, as Local Planning Authority, on 03/09/2021 (originally partially discharged under app. ref. CDN/21/0648 relating to the hotel use on the upper floors)

-Site Plan Smoking Area received by the City Council, as Local Planning Authority, on 22/09/2021 (originally discharged under app. ref. CDN/21/0633 relating to the hotel use on the upper floors)

-Supporting Information MEP SERVICES DESIGN SPECIFICATION

-Supporting Information RECIRCULATING EXTRACT UNIT

-Noise assessment or information (prepared by ACA Acoustics ref. 221015-R002)

-Noise assessment or information (prepared by ACA Acoustics ref. 221015-R001A)

-Supporting Information LEVEN MANAGEMENT PLAN

All received by the City Council, as Local Planning Authority, on 15/08/2023 (originally discharged under app. ref. CDN/23/0559 relating to the ground floor and basement restaurant/bar use)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Core Strategy policies DM1 and SP1, and saved UDP policies DC10.1, DC10.2, DC18.1, DC26.1 and DC26.5

3) Notwithstanding the details approved under app. ref. CDN/19/0131 (Supporting Information MATERIAL SPECIFICATION received by the City Council, as Local Planning Authority, on 18/02/2019), no development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development, including all replacement windows and doors, along with jointing and fixing details, have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development 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, as specified in policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the details approved under app. ref. CDN/19/0131 (Drawing - Proposed EXTERNAL LIGHTING AND SIGNAGE; Drawing - Proposed 5062-HMA-CH-ZZ-DR-A-20201 REV C1 NORTH WEST (RICHMOND ST.) ELEVATION 20.2 GENERAL ARRANGEMENT ELEVATIONS; Correspondence EMAIL FROM AGENT RE: LIGHTING; Supporting Information ELLIS2 TOWAY PRODUCT SPECIFICATION; Supporting Information MOTO HIGH POWER - SCREEN GLASS PRODUCT SPECIFICATION all received by the City Council, as Local Planning Authority, on 29/05/2023), prior to the commencement of the development hereby approved, full and final details of any external lighting shall be submitted to and approved in writing by the City Council, as Local Planning Authority.

Reason - To ensure that the appearance of the development 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, as specified in policies SP1 and DM1 of the Core Strategy.

5) Notwithstanding the details approved under app. ref. CDN/19/0131 (Supporting Information CONDITION 5 DES MEASURES CRIME IMPACT STATEMENT received by the City Council, as Local Planning Authority, 18/02/2019) and under app. ref. CDN/21/0648 (Supporting Information CCTV SPECIFICATION; Supporting Information DRAWINGS AND SPECIFICATIONS; Supporting Information SPECIFICATIONS AND DRAWINGS; Drawing - Proposed X9 PLANS RE CCTV received by the City Council, as Local Planning Authority, on 03/09/2021) details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with these approved details. The development 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 secure by design accreditation.

Reason - To reduce the risk of crime pursuant to policies DM1a and SP1 of the Core Strategy.

6) Signage shall be installed on the premises in accordance with the following:

-Document ref. Prior.Studio LEVEN Signage stamped as received by the City Council as Local Planning Authority on 26/08/2021.

(as originally partially discharged under app. ref. CDN/21/0633 relating to the hotel use on the upper floors)

-Drawing - Proposed 00211 C ELEVATION -CHORLTON STREET received by the City Council, as Local Planning Authority, on 03/09/2021 (as originally partially discharged under app. ref. CDN/21/0648 relating to the hotel use on the upper floors)

Reason: To protect the visual amenity of the area and to ensure the development is carried out in a satisfactory manner pursuant to policy DM1 of the Core Strategy.

7) The construction management plan required for the works approved under app. ref. 120392/FO/2018 was approved under app. ref. CDN/19/0131 in accordance with the following details:

-Supporting Information CONSTRUCTION PHASE PLAN received by the City Council, as Local Planning Authority, on 18/02/2019

-Supporting Information APPENDIX A ROAD RECEPTORS

-Supporting Information ENV-FOR-015 BE A GOOD NEIGHBOUR

-Supporting Information ENV-FOR-028 NOISE AND VIBRATION TOOLBOX TALK

-Supporting Information REV A DUST CONTROL STRATEGY

-Supporting Information SAF-FOR-159 NOISE ASSESSMENT FORM

-Supporting Information SAF-PROC-026 NOISE PROCEDURE

-Supporting Information SAF-PROC-040 HAND ARM VIBRATION PROCEDURE

received by the City Council, as Local Planning Authority, on 14/05/2019

No construction management plan is required for the works hereby approved under app. ref. 137851/JO/2023.

Reason: To ensure that the appearance of the development is acceptable and in the interests of the amenity of the area, pursuant to policies EN15, EN16, EN17 and EN18 of the Core Strategy.

8) Notwithstanding the details approved under app. ref. CDN/21/0633 (Document ref. Survey And Site Specific RAMS stamped as received by the City Council as Local Planning Authority on 26 August 2021; Drawing ref. 5062-HMA-CH-L6-DR-A-20110 Rev C5 stamped as received by the City Council as Local Planning Authority on 08 November 2021; Drawing ref. 5062-HMA-CH-ZZ-DR-A-20310 Rev C1 stamped as received by the City Council as Local Planning Authority on 08 November 2021), details of any externally mounted telecommunications equipment to be mounted on any part of the buildings hereby approved, including the roofs, shall be submitted to and approved in writing by the City Council, as local planning authority.

The development shall be implemented and operated in accordance with the approved details and shall remain in situ whilst the use or development is in operation.

Reason: In the interest of visual amenity and pursuant to policy DC18.1 of the Unitary Development Plan for the City of Manchester

9) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policy DM1 of the Core Strategy.

11) A schedule of hours of operation shall be submitted to, and approved in writing by the City Council, as local planning authority, for the restaurant / bar uses. prior to any part of the restaurant / bar being brought into use.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policy DM1 of the Core Strategy.

12) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the following details:

- Drawing - Proposed M-300 C09 BASEMENT LEVEL 1 VENTILATION LAYOUT
- Drawing - Proposed M-301 C09 GF VENTILATION LAYOUT
- Drawing - Proposed M-302 C07 1F VENTILATION LAYOUT
- Drawing - Proposed M-303 C07 2F VENTILATION LAYOUT
- Drawing - Proposed M-304 C07 3F VENTILATION LAYOUT
- Drawing - Proposed M-305 C07 4F VENTILATION LAYOUT
- Drawing - Proposed M-306 C05 5F VENTILATION LAYOUT
- Drawing - Proposed M-307 C010 6F VENTILATION LAYOUT
- Drawing - Proposed M-601 C05 6F PLANT AREA
- Supporting Information DRAWINGS AND SPECIFICATIONS
- Supporting Information SPECIFICATIONS AND DRAWINGS

All received by the City Council, as Local Planning Authority, on 03/09/2021 (as originally partially discharged under app. ref. CDN/21/0648 relating to the hotel use on the upper floors)

- Drawing - Proposed M01 FLOOR PLAN
- Drawing - Proposed M02 FLOOR PLAN
- Drawing - Proposed M03 FLOOR PLAN
- Drawing - Proposed M04 FLOOR PLAN
- Supporting Information MEP SERVICES DESIGN SPECIFICATION
- Supporting Information RECIRCULATING EXTRACT UNIT

all received by the City Council, as Local Planning Authority, on 15/08/2023

The approved scheme shall be implemented and operated in full and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policy DM1 of the Core Strategy.

13) a) Notwithstanding the details approved under CDN/23/0559 (Noise assessment or information prepared by ACA Acoustics ref. 221015-R001A received by the City Council, as Local Planning Authority, on 15/08/2023), 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 shall 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 for Manchester (1995)

14) Acoustic insulation relating to the residential part of the premises shall be installed in accordance with the following details:

-Noise assessment or information ACOUSTIC DESIGN REPORT received by the City Council, as Local Planning Authority, on 18/02/2019

-Correspondence RE CONDITIONS received by the City Council, as Local Planning Authority, on 07/03/2019

(originally discharged under app. ref. CDN/19/0131)

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to policy DM1 of the Core Strategy.

15) a) Externally mounted ancillary plant, equipment and servicing, relating to the residential part of the premises, shall be installed in and/or acoustically treated in accordance with the following details:

-Noise assessment or information ACOUSTIC REPORT (ref WIE13555-100-TN-210323 Condition 16) received by the City Council, as Local Planning Authority, on 03/09/2023 (as originally partially discharged under app. ref. CDN/21/0648 relating to the hotel use on the upper floors)

The scheme shall be implemented in full and shall remain in situ for the lifetime of the development.

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 policy DM1 of the Core Strategy.

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 policy DM1 of the Core Strategy.

16 a) Externally mounted ancillary plant, equipment and servicing, relating to the restaurant/bar use to the ground floor and basement, shall be installed in and/or acoustically treated in accordance with the following details:

- Supporting Information MEP SERVICES DESIGN SPECIFICATION

- Supporting Information RECIRCULATING EXTRACT UNIT

- Noise assessment or information (prepared by ACA Acoustics ref. 221015-R002)

All received by the City Council, as Local Planning Authority, on 15/08/2023

The scheme shall be implemented in full before the groundfloor and basement use commences or as otherwise agreed in writing by the City Council, as local planning authority, and shall 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 minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policy DM1 of the Core Strategy.

17) The waste management arrangements shall be carried out in accordance with the following:

- Waste Management WASTE MANAGEMENT PROFORMA received by the City Council, as Local Planning Authority, on 21/06/2018

The waste management arrangements shall be implemented and operated in full and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

18) Arrangements for the management of smokers at the proposed hotel and restaurant / bar use shall be carried out in accordance with the following details:

- LEVEN Management Plan, 40 Chorlton Street received by the City Council, as Local Planning Authority, on 26/08/2021.

- Site Plan Smoking Area received by the City Council, as Local Planning Authority, on 22/09/2021.

(Both originally discharged under app. ref. CDN/21/0633 relating to the hotel use on the upper floors)

-Supporting Information LEVEN MANAGEMENT PLAN received by the City Council, as Local Planning Authority, on 15/08/2023
(Originally discharged under app. ref. CDN/23/0559 in relation to the restaurant/ bar use in the ground floor and basement)

Reason - To safeguard the amenities of the occupiers of nearby properties, and in the interests of pedestrians and the amenities of the area, pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Flat 54, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 52, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 51, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 45, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 43, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 42, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 36, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 34, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 33, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 31, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 26, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 24, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 22, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 21, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Richmond House, 15 Bloom Street, Manchester, M1 3HZ
41 Chorlton Street, Manchester, M1 3FY
Eagle Bar, 20 Richmond Street, Manchester, M1 3NB
45 Chorlton Street, Manchester, M1 3FY
Rear Part Third And Fourth Floors, Richmond House, 15 Bloom Street, Manchester, M1 3HZ
Rear Part First Floor, Richmond House, 15 Bloom Street, Manchester, M1 3HZ
Front Part First Floor, Richmond House, 15 Bloom Street, Manchester, M1 3HZ
Bar Risa, 40 Chorlton Street, Manchester, M1 3HW
Prague Five, 40 Chorlton Street, Manchester, M1 3HW
Ground Floor, 16 Chorlton Street, Manchester, M1 3HW
Flat 29, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 28, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 27, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 26, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 25, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 24, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 23, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 19, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 18, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 17, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 13, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 16, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 15, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 14, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 12, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 11, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 10, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 9, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 8, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 7, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 6, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 5, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 4, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 3, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW

Flat 2, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 1, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 22, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 21, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Flat 20, Sheena Simon College, 42 Chorlton Street, Manchester, M1 3HW
Lower Ground Floor, Albert House, 17 Bloom Street, Manchester, M1 3JE
Flat 8, 10 Canal Street, Manchester, M1 3EZ
Flat 5, 10 Canal Street, Manchester, M1 3EZ
Flat 2, 10 Canal Street, Manchester, M1 3EZ
Fourth Floor And Mezzanine Floor, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Flat 64, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 62, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 55, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 53, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 46, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 44, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 41, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 35, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 32, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 25, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 23, Canal Court, 28 Canal Street, Manchester, M1 3EZ
28 - 30 Canal Street, Manchester, M1 3EZ
The Church, 37 Chorlton Street, Manchester, M1 3HN
10 Canal Street, Manchester, M1 3EZ
Street Cars House, 16 Chorlton Street, Manchester, M1 3HW
Flat 7, 10 Canal Street, Manchester, M1 3EZ
Flat 6, 10 Canal Street, Manchester, M1 3EZ
Flat 4, 10 Canal Street, Manchester, M1 3EZ
Flat 3, 10 Canal Street, Manchester, M1 3EZ
Flat 1, 10 Canal Street, Manchester, M1 3EZ
Ground Floor, Albert House, 17 Bloom Street, Manchester, M1 3HZ
First Floor, Albert House, 17 Bloom Street, Manchester, M1 3HZ
Flat 65, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 63, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 61, Canal Court, 28 Canal Street, Manchester, M1 3EZ
Flat 56, Canal Court, 28 Canal Street, Manchester, M1 3EZ

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 - Whitworth Street Conservation Area 1985
Area Team Boundary - Name: CENTRAL