

Planning Statement (including Design and Access)

Client: Six by Nico Limited

Proposal: Provision of Plant to Serve Restaurant

Site: Flat Roof to rear of John Dalton House, John Dalton Street, Manchester, M3 2NW

Date: Revised November 2023



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1.0 Introduction

- 1.1 Moorside Planning is advising the applicant with respect to the provision of the plant required to serve the restaurant at John Dalton House. Whilst this is the lawful use of the eastern unit, various revisions were approved for the building under reference 119979/FO/2018 (as revised by 130877/NMC/2021). These permissions, however, did not address the plant required for the restaurant at the corner of John Dalton Street (to the north) with Ridgefield (to the east).
- 1.2 As the application drawings demonstrate, most of the kitchen extraction is vented within the internal bin store, with suitable attenuation. However, the supply requires the provision of some plant externally. Whilst this has been minimised as far as practicable, condensers for the air conditioning also needed to be provided externally, along with a small extract for the restaurant seating area (not the kitchen).
- 1.3 Given the site's location within the Albert Square Conservation Area, the required plant is to be provided on the flat roof to the rear of the building, which benefits from a low parapet that prevents most (if not all) potential views from public vantage points at ground level.
- 1.4 The supply ducting and extract for the restaurant seating area are all set back from the parapet, and either in-line or below it. Whilst set back from the parapet, the condenser units would be higher (meaning that their top section would potentially be visible). However, their location and the set-back ensure that most if not all potential public vantage points are truncated. Furthermore, the smallest face would be presented to the square to the south, where a partial distant view may be available. Whilst this would be distant, with an intervening tree, the units would be arranged in-line, so only part of the smallest face would potentially be visible. The units would then be housed in a grey casing that matches the hotel façade against which it would potentially be viewed. In this way, the proposals have addressed the functional requirements arising from the hotel in as sensitive a manner as possible.
- 1.5 An Acoustic Assessment has been undertaken and accompanies this submission, and demonstrates that no noise issues would arise. The venting of the kitchen to the bin store, along with its attenuation, would also ensure that no odour concerns will be associated with the proposals.
- 1.6 The need to respect the site's location, however peripherally, within the Conservation Area has driven the proposals, with every effort being made to not only minimise the amount of plant required but also ensure that it is as discreet and sensitive as possible, to minimise any changes to the character and appearance of the host area.

- 1.7 It is, however, incumbent upon the applicant to demonstrate that this is the case, and this statement, therefore, considers the site and its relationship with its surroundings before describing the proposals and the measures taken to ensure that the plant does not have a detrimental impact. The relationship with planning policy is then considered, before the various matters are drawn together within the conclusions.

2.0 The Site and its Surroundings

- 2.1 As noted above, the application site comprises part of the ground floor of John Dalton House, which sits south of John Dalton Street where it meets Deansgate, to the west. The eight storey former office building has now been converted to a hotel under reference 11979/FO/2018 (as revised by 130877/NMC/2021). The ground floor has, however, historically been occupied by two restaurants. Whilst that which faced onto Deansgate and turned the corner onto John Dalton Street was previously vacant, the application site was occupied by Bills.
- 2.2 The hotel conversion has been undertaken as approved, and is now occupied by Yotel. Whilst the restaurant unit the subject of the application has been retained, and the external works undertaken as approved, no provision was made for the plant and machinery associated with its operation.
- 2.3 The restaurant extends from its primary frontage onto John Dalton Street, to the north, to the small public square to its south. To its immediate east, the other side of Ridgefield, is a two storey building (formerly) occupied by restaurant uses, before the built form rapidly extends upwards. Ridgefield provides the link from John Dalton Street to Mulberry Square, to the rear, and does not provide views of the flat roof to the rear of the restaurant. The square is a quiet backwater defined by the enclosing buildings and (as the photograph below demonstrates) is dominated by a large Mulberry tree that restricts views across the square.



- 2.4 As the photograph overleaf looking back from the furthest point on the square demonstrates, views of the flat roof are truncated by the change in height and the tree.

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- 2.5 Turning to the flat roof of the restaurant, various photographs are provided below. These show not only the parapet to the external elevations, but also that it is bisected approximately from south to north by a similar internal parapet (just visible at the bottom of the photograph below).



Photograph looking east towards Ridgefield from the internal parapet, showing that which encloses the flat roof.



Photograph looking north towards the hotel from the proposed position of the first condenser, with the internal parapet visible to the right (the flat roof then continuing to extend beyond up to Ridgefield as shown by the previous photograph).

- 2.6 The photographs also demonstrate the grey finish of the roof and the hotel beyond. They also demonstrate that there are no potential views with the wider area, particularly John Dalton Street. This is pertinent not only as the major public thoroughfare but also as no views would be available from any nearby Listed Buildings, as returned to later.
- 2.7 As shall be demonstrated, the features identified above have been used to minimise the visibility of the plant required to serve the restaurant.

3.0 The Proposals – Design and Access Statement

- 3.1 In order to serve the internal arrangement proposed, the kitchen extraction is to be vented into the internal bin store, with suitable attenuation. A very small amount of external extraction is required to serve the seating area, and this is to be tucked into a corner next to the eastern stairwell and enclosed on three sides. As Drawing SBN-MAN-02-External Elevations demonstrates, this would not only be very limited in size but also not project above the parapet.
- 3.2 The restaurant also requires an external air supply. Again, this is low level, though two silencers and a panel filter are required, the latter being in-line with the top of the parapet (as shown by Drawing SBN-MAN-02). However, this would not be visible from Ridgefield, to the east, and would be stepped back from the parapet onto Mulberry Square, to ensure that it is not visible for users therein – please see the photograph below, which shows how the views are truncated by the change in levels as well as intervening planting.



- 3.3 Some vantage points may be available from adjoining buildings, so the ducting has been set back against the wall bisecting the roof, to ensure that the plant is not intrusive in any potentially higher views over the roof.
- 3.4 For the condensers, these would partially project above the height of the parapet. As the only potential ground level view would be from the south, probably from Mulberry Street itself (being the road which defines the southern side of the square), these would be arranged in a north/south direction, so as to present the smallest surface possible above the parapet towards the view potentially available. They would also be set back from the edge, to help truncate views, and enclosed in a grey acoustic cover, as shown overleaf. As the photograph demonstrates, the colour is similar to the roof, balcony, as well as the hotel beyond.



- 3.5 Finally, the units would be located to the immediate west of the parapet that bisects the roof, so that they are largely hidden from patrons potentially using the first floor of the building stretching along the eastern side of Ridgefield. Views from the buildings to the south are also largely obscured by the Mulberry Tree.

The Options Considered

- 3.6 Whilst the approach to providing the plant as discretely as possible is explained when describing the proposals above, it is appropriate to confirm the options considered.
- 3.7 Given the site's location within a Conservation Area, the applicant has sought to maximise the provision of the plant within the building, to reduce that which needs to be provided externally. This approach addresses nearly all of the elements associated with the kitchen (apart from the air intake, which needs to be external).
- 3.8 Whilst the kitchen elements can be provided with the building, the condensers need to be provided externally. Of the alternatives available, the ground floor was discounted from the outset. The front of the site is readily visible from John Dalton Street, and is a major thoroughfare, meaning that any plant would be prominent within the streetscene. The side elevation fronts onto Ridgefield, which not only has restricted width but is also readily visible from John Dalton Street. It was, therefore, also discounted. Finally, whilst the area to the rear of the restaurant is something of a backwater, any plant would be readily visible from Mulberry Square. The only remaining area available is the flat roof over the restaurant.
- 3.9 Whilst the ductwork is largely defined by the arrangement of the unit below, it is low level and hidden by the parapet that defines the limits of the flat roof.

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- 3.10 For the condensers, that section to the flat roof to the east (nearest to Ridgefield) was discounted, as it is closer to adjoining buildings. There is, however, an internal parapet that divides the smaller western section of the flat roof from the larger area to its east, making it a more appropriate location for the plant that needs to be provided externally.
- 3.11 As the photograph below demonstrates, there is already some plant, pipe and ductwork within this area.



- 3.12 The most sensitive location to provide the condenser units was, therefore, considered to be parallel with and as close as possible to the internal parapet that bisects the flat roof, which would shield most of the units from higher views from the east. It would also only present part of the smallest face of the nearest unit above the parapet that defines the southern edge of the flat roof. Indeed, only a maximum of 0.84 square metres of the nearest condenser units cover would be visible above the parapet. However, as the units are set back from the roof edge to the rear of the parapet, this small surface is not visible to the immediately rear of the restaurant. Instead it only becomes visible further away, with only the full 0.84 sqm at 27 metres. Not only is this at distance, but the mulberry tree within the centre of the square dominates views.

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- 3.13 To reduce the visibility of the small area that would be visible above the parapet, the finish for the covers matches the colour of the host building, which (as the photograph above demonstrates) it already split into a rectangular panel arrangement. The units will, therefore, blend into their background and not be intrusive.
- 3.14 As demonstrated, due consideration has been given to the site's relationship with its surroundings whilst also meeting the requirements of a modern restaurant.

4.0 Assessment of the Proposals

Introduction

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Statutory Development Plan, unless material considerations indicate otherwise.
- 4.2 Whilst work is underway on the replacement Local Plan, the Statutory Development Plan for Manchester comprises the Core Strategy adopted during 2012 and extending up to 2027. Consideration has been given to saved policies from the UDP, though (given the age of this document) precedence has been given to the advice within the revised NPPF, 2021. Reference has also been made to the provisions of The Planning (Listed Buildings and Conservation Areas) Act 1990, and the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 4.3 The application site lies within the City boundary of Manchester, within the north western corner of the Albert Square Conservation Area. The site is not subject to any more specific policy designations, and the lawful use of the unit is as a restaurant, this not having been changed by 11979/FO/2018 (as revised by 130877/NMC/2021).
- 4.4 As the building is not listed, the works that require consent relate to the plant proposed externally to serve the restaurant, which was not addressed as part of the aforementioned consents. No demolition is also proposed within the Conservation Area as part of the proposals, and the works are readily reversible, if ever this should be required in the future.
- 4.5 Whilst the NPPF and Statutory Development Plan outlines the Government's and Council's commitment to a strong economy, to secure jobs and prosperity, the significance of good design is a core component of both. Furthermore, this takes on greater significance given the site's location within a Conservation Area.
- 4.6 Whilst no works are proposed to a listed building, or would affect their setting (the nearest being immediately north west of the application site but hidden from the proposed plant by John Dalton House), the proposals have sought to address the relationship with the character and appearance of the surrounding Conservation Area.

- 4.7 As described at Section 3 of the Statement, as much of the *extraction* equipment as possible (being nearly all) has been located within the internal bin store, out of sight and with no wider implications arising. The supply and condenser units, however, need to be supplied externally.
- 4.8 As qualified by Paragraph 194 of the NPPF when determining applications Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposals on their significance. It is for this reason that Section 2 of this statement describes the relationship with the nearest Listed Buildings (none visible from the proposed plant) and characteristics of the surrounding Conservation Area. The photographs provided at Sections 2 and 3 of this report then seek to illustrate that relationship, and the measures taken to be discrete there-in.
- 4.9 As set out above, the building itself is not listed and the proposed plant is located to the rear of the building, so as not to have any impact upon any nearby listed assets. Furthermore, the plant would be located so as not to have any impact upon the character and appearance of the wider Consideration Area.
- 4.10 As demonstrated by Section 3, significant effort has been given to ensure that the proposals have limited or no impact upon the buildings surrounding Mulberry Square, so as to not detract from its overall character or distinctiveness. It is not proposed to reiterate these measures here, as they have previously been described at length, other than to note that the required plant has not only been limited as far as practicable but also laid out so as to not be readily visible. Indeed, the only component that projects above the surrounding parapet is then set back from it so as to be hidden in most views. The condenser units would also be enclosed in a similar material and finish as the host building. It is, therefore, concluded that proposals would:
- Not harm the heritage value of nearby heritage assets;
 - Minimise the change within the Conservation Area to a negligible level;
 - Retain the character and appearance of the Conservation Area;
 - Not impact upon the streetscene of either John Dalton Street or Ridgefield/Mulberry Square;
 - Help deliver a modern and lawful restaurant use that would not only improve local employment opportunities but also the offer of the City Centre in a manner totally in accordance with the Statutory Development Plan.

- 4.11 It is ultimately concluded that the need for good design and a sensitive approach has driven the proposals to ensure that the required plant is delivered as sensitively as possible, in accordance with the requirements of the NPPF and Statutory Development Plan.
- 4.12 In this respect, it is considered that the policies meet the requirements of Policy SP1 – Spatial Principles, which seeks to focus economic and commercial development within the regional centre whilst also providing further choice within each neighbourhood through the provision of high quality end users. In this respect, it is considered that the proposals make a positive contribution to local choice whilst seeking to protect and enhance the built environment. It will also improve access to jobs and services in a sustainable location, reducing the need to travel. In this way, the aspirations of Policy CC4, which relates to tourism, culture and leisure, are also supported. The proposals also assist in bringing forward and completing the final component of the approved renovation and refurbishment of this building, in a manner entirely consistent with the delivery of the vision for the City and development therein.
- 4.13 Whilst the proposals do not relate to a new building, the requirements of Policy CC9, which relates to design and heritage, have also informed the proposals, to ensure that the functional requirements of the lawful restaurant are addressed in the most sensitive visual manner possible. As outlined, there are specific challenges associated with the current proposals, and the applicant has sought to address these as sensitively as possible, including by limiting the plant being provided externally as far as practicable. That element that has to be provided outside the built envelope has then been located so as to not be directly visible from public vantage points. Those elements (the condenser units) which are potentially visible are then arranged so as to be as discrete as possible, whilst finished so as to appear as a part of the cohesive whole. As such, the aspirations of Policy CC9 are deemed to have been addressed in the best manner possible.
- 4.14 In this way, it is considered that the requirements of Policy DM1, which relates to development management, has also been addressed. For instance, the plant has been sited and laid out in as sensitive a manner as possible, with the finishing materials being informed by the host building.
- 4.15 Any potential impact upon the surrounding area has also been addressed, with the layout and scale being not only reduced as far as possible but also laid out so as to integrate into or be hidden by the host building. Due consideration has been given to the character of the surrounding area, and potential vantage points therein, as demonstrated by Section 3 of this Statement.
- 4.16 Consideration with respect to amenity have also been addressed, with the Noise Assessment demonstrating that no unacceptable impacts would arise. Indeed, your Authority's requirements with respect to noise control have informed and guided the proposals.

- 4.17 Other requirements of Policy DM1 are not necessarily applicable, but it is appropriate to state that no issues with respect to air quality or noise will arise as a result of the proposals, with no other concerns of acknowledged planning importance arising. It is clear, however, that the development will allow the unit to be used for its lawful use and increase the opportunities available for local residents and visitors alike, whilst also providing a further opportunity for local employment.
- 4.18 The approach set out above also addresses the concerns of saved UDP Policy 18 – Conservation Areas. It is clear from the commentary above that the relationship of the plant with neighbouring buildings and spaces has driven the proposals, with any changes not being immediately apparent. As the existing relationship with the Conservation Area is preserved, it is considered that the provisions of UDP Policy 18 have also been addressed.
- 4.19 Whilst the proposed plant is required for the operation of the lawful restaurant unit, its form, layout and appearance responds positively to its immediate setting, with no wider implications arising. As this would be achieved without any significant or detrimental impact arising it is trusted that the limited change involved will be supported, not least as it will return the unit to its lawful use.

5.0 Conclusions

- 5.1 The proposals the subject of this application relate to the provision of the plant required to serve the restaurant at John Dalton House, on the corner of John Dalton Street with Ridgefield. Whilst various revisions to the building were approved under reference 119979/FO/2018 (as revised by 130877/NMC/2021), these did not address the plant required to serve this unit.
- 5.2 As the application demonstrates, most of the kitchen extraction is vented into the internal bin store, with suitable attenuation. However, the supply requires the provision of some plant externally. Whilst this has been minimised as far as practicable, the condensers for the air conditioning have to be provided externally, along with a small extract for the restaurant seating area (not the kitchen).
- 5.3 Given the site's location within the Albert Square Conservation Area, the required plant is to be provided on the flat roof to the rear of the building, which is the most discrete location available. That flat roof also benefits from a low parapet that prevents most (if not all) potential views from the limited public vantage points available to the rear of the building.
- 5.4 As demonstrated, the supply ducting and extract for the restaurant seating area are all set back from the parapet, either in-line or below it. As such, they will not be visible from public vantage points. The top part of the condenser units would, however, project above the height of the parapet. However, by arranging them in line so that only part of the smallest face would be presented to the small public square to the south, and by setting them back from the edge of the flat roof, these units would not be readily apparent. Indeed, they would only potentially be visible at distance, with an intervening tree. They would also be enclosed in a grey casing that matches the rear hotel façade against which they would potentially be viewed. In this way, the proposals have addressed the functional requirements arising from the restaurant in as sensitive a manner as possible.
- 5.5 An Acoustic Assessment has been undertaken and accompanies this submission, and demonstrates that no noise issues would arise. The venting of the kitchen to the internal bin store, also ensures that no odour concerns would be associated with the proposals.
- 5.6 The need to respect the site's location, however peripherally, within the Conservation Area has, therefore, driven the proposals, with every effort being made to not only minimise the amount of plant required but also ensure that it is as discreet and sensitively located as possible, to minimise any changes to the character and appearance.

- 5.7 The proposals, therefore, respond positively to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the guidance of the NPPF and Statutory Development Plan. On the basis set out above, it is deemed that the policy requirements for the Conservation Area would be complied with, with any minor impacts arising not only being so minor as to be negligible, but also readily reversible. Therefore, in so far as any change may be apparent, this would be more than compensated for by returning this unit to its lawful use, and the benefits that this would bring to the local area.

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