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17th March 2023

Submitted via the Planning Portal ref: PP-12019947

Dear Sir / Madam,

39-41 PICCADILLY PLAZA

Please find enclosed a Discharge of Conditions Application submitted to Manchester City Council (MCC) by CBRE Limited, on behalf of City Tower Unit Trust. Approval is sought for details reserved by Conditions 6 (Extraction Scheme) and 8 (Management Strategy) associated with 39-41 Piccadilly Plaza, Manchester.

BACKGROUND

Planning permission was secured on the 23rd September 2020 (127189/FO/2020) for the change of use from sui generis (casino) to a flexible use comprising Use Class A1 (Shops); A2 (Financial and Professional Services); and A3 (Restaurants and Cafes), including the associated internal subdivision, installation of new shopfronts and associated works.

APPLICATION DETAILS

This planning application is to approve details reserved by Conditions 6 and 8 associated with planning permission 127189/FO/2020, as below:

Condition 6 (Extraction Scheme)

a) Notwithstanding the approved plans and documents as specified in condition 2, fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development. The approved scheme shall then be implemented fully before the use commences and retained thereafter.

Should the development operate, at any time during the flexible change of use 10 year period, as an A1 or A2 use and then subsequently be changed to an A3 (restaurant) use, the below part (b) of this condition must first be discharged prior to first occupation of any specific A3 (restaurant) use.

For the avoidance of doubt, mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Notwithstanding the approved plans and documents as specified in condition 2 and the above part (a), should the premises operate as an A1 or A2 use then subsequently be proposed to flexibly changed to operate specifically as an A3 use (restaurant), prior to the first occupation of any A3 use (restaurant) fumes, vapours and odours shall

be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the specific use commences. The approved scheme shall then be implemented fully before the use commences and retained thereafter.

Condition 8 (Management Strategy)

Notwithstanding the approved plans and documents as specified in condition 2, prior to the first occupation specifically of any café or restaurant (Use Class A3) specific uses, as permitted by this development, an operating schedule / management strategy shall be submitted to and approved by the City Council as local planning authority which shall outline general management procedures of the premises in regard to dispersal procedures, prevention of crime and disorder, prevention of public nuisance, which should also include details of a strategy for managing smokers, in particular noise from smokers.

The approved details shall then be implemented in full and retained thereafter.

b) Notwithstanding part (a) of this condition and the approved plans and documents as specified in condition 2, should the premises operate as an A1 or A2 use and subsequently flexibly change to an A3 use (café or restaurant) at any time during the 10 year flexible use period granted by this permission, a revised/updated operating schedule / management strategy for said specific café or restaurant use shall be submitted to and approved by the City Council as local planning authority, prior to the first occupation of the café or restaurant. The subsequently approved details shall then be implemented in full and retained thereafter.

APPLICATION SUBMISSION

This application comprises the following:

- Planning application form, notices, and certificates;
- This Covering Letter (CBRE);
- Management Statement – Eat Italian; and
- Proposed HVAC Details (Drawing ref: 01497-M-01 Rev T3) – Octave Design.

I trust that the information submitted with this application is appropriate and that the condition can be subsequently discharged. However, if there are any immediate queries, please do not hesitate to contact me using the details provided.

Yours sincerely,

LAURA HUGHES
ASSISTANT PLANNER – PLANNING & DEVELOPMENT