

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143779/FO/2025
Date registered valid: 29 August 2025
Proposal: Installation of a pergola structure and external seating area.
Address: Unit G15, 3 Hardman Street, Spinningfields, Manchester, M3 3HF
Ward(s): Deansgate Ward

Applicant: Sticks N Sushi UK Limited
Agent (if any): Mr Sam Harper Firstplan
Case officer: Sam Elliott
Tel: 0161 219 2856
Email: sam.elliott@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 11/12/2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 10 September 2025

Standard consultations:

Printed: 4 September 2025

Expired: 25 September 2025

Neighbour notifications

Printed: 4 September 2025

Expired: 25 September 2025

Site notice

Posted: 10 September 2025

Expired: 01 October 2025

Press advert

Published: 9 September 2025

Expired: 23 September 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Building

The site relates to a ground floor unit within the northwestern corner of the 3 Hardman Street Building. As such, it occupies a prominent position within the Spinningfields estate being opposite the Crown Court building. The unit features double storey height glazing at both northern and western elevations.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Area

The application site is located within the Spinningfields area of Manchester City Centre, a location for high value financial and professional services within the Regional Centre, offering high quality premises with large floorplates. There are a range of ancillary uses in the vicinity, including offices, leisure, restaurants, bars and café uses. Many of the Class E uses within the area feature pergolas and other external seating areas.

The street network around the site has been rationalised in recent years, with the relocation and removal of advertisement screens and public bins creating legible sightlines and relatively uninterrupted pedestrian routes around the estate. To the north of the unit there are a number of temporary tree planters and at the time of the site visit 10/09/2025 there were several temporary art installations. To the west of the unit there is 1 no. advertising totem within its immediate vicinity, as well as benches and several street trees in fixed tree pits.

Description of Development

The pergola would be a freestanding structure with a separation of approximately 10mm to the unit's glazed elevations, formed by a timber decking, steel frame, retractable canopies and boundary treatment with GI.

It would project from the unit's northern and western elevations into the footway of The Avenue and Crown Square respectively. Where it would project towards The Avenue, it would extend 4.11m and as far as the adjacent Thaikhun unit's own external seating area. Where it would project towards Crown Square it would extend 6.76m in total, projecting 2.39m beyond the adjacent Alchemist unit's own external seating area.

It would have a pitched lean-to style roof, with a maximum height of 3.38m and an eaves height of 2.99m. The frame would be constructed of aluminium, and the colour of both the aluminium frame and the canopies is to be determined.

Bespoke planters in powder coated steel or wood with feather grass vegetation would wrap around the perimeter in a serrated pattern at regular intervals, with additional fencing.

The applicant has confirmed that the external seating area would only be open between the hours of 11:00am to 23:00pm throughout the week Monday-Sunday, with no amplified sound or external music above background levels.

Planning History

134716/FO/2022: Erection of single storey extension and creation of external seating area together with external elevational alterations to existing building and other associated works. Approved 26/10/2025.

Consultations & Notification Responses

Publicity:

Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received because of this publicity.

Advertisement:

The proposal was advertised by site notice and in the MEN as affecting a public right of way. At the time of writing this report, no representations have been received because of this advertisement.

Highways Services:

No objection:

- Initially recommend that a width of 2.0m is retained between the existing totem and proposed pergola along Crown Square and that applicant explore the relocation of the existing totem to ensure the retained width is accommodated.
- Following reduction in scale to achieve 2m clearance to totem, proposal is acceptable.

Environmental Health:

No objection, subject to:

- Construction Hours condition
- Break out noise condition
- External seating area hours condition
- External seating area background music/sound condition

Design for Security:

No objections.

Policy Context

The following policies are considered relevant to this application:

Places for Everyone

- JP-Strat2 – City Centre
- JP-C5 – Streets for All
- JP-P1 – Sustainable Places

The Adopted Core Strategy for the City of Manchester

- SP1 – Spatial Principles
- CC1 – Primary Economic Development Focus: City Centre and Fringe
- CC5 – Transport
- CC9 – Design and Heritage
- CC10 – A Place for Everyone
- T1 – Sustainable Transport
- EN1 – Design Principles and Strategic Character Areas
- DM1 – Development Management

The Unitary Development Plan for the City of Manchester

- DC22 – Footpath Protection

NPPF

- Section 9 (Promoting Sustainable Transport)
- Section 12 (Achieving Well Designed Places)

Shopfront and Signage Design Guide

Principle of Development

The proposed pergola would facilitate external seating for a Class E restaurant, bringing a currently vacant ground floor unit within a mixed-use building into occupation. The proposal would therefore support the commercial and leisure offer of the City Centre, in line with PfE Policies JP-Strat2 and JP-P1 and Core Strategy Policies SP1 and CC1.

The key issues for consideration are the proposal's impact on visual amenity, pedestrian routes and noise. The design of the scheme is of a high quality, introducing green infrastructure to a key node within the Spinningfields estate. While there would be an impact on the linear pedestrian route along Crown Square, ultimately sufficient footway width is retained. Subject to conditions controlling hours and submission of a Noise Impact Statement demonstrating any amplified sound or any music in these external areas would meet background levels, the scheme would have an acceptable impact on noise disamenity.

Issues

Visual Amenity

The proposal would not result in any alterations to the existing unit, with a 10mm separation to between the pergola structure and unit. It would be of an appropriate height, would not overly dominate the prominent double storey height glazing and the structure's posts would moreover be spaced evenly and correspond to the spacing of the unit's glazing panels behind. As such, it is considered well-integrated with the existing unit.

The materiality would be of a sufficient quality, with the aluminium frame corresponding to the materials used in the construction of the building group as well as featuring a timber decking and canvas canopies. The serrated design of the planters would break up monotonous lines along the two frontages, facilitating a green border around the unit and adding a degree of additional greenery to the estate.

Given there are pergola structures within the area, the proposal would not in principle appear incongruous within the street scene. While it is acknowledged that the pergola would have a larger footprint than similar adjacent structures or adjacent units' seating areas, a similar footprint was approved in application 134716/FO/2022 and the scale of the proposal is moreover considered appropriate to the unit's corner position. The proposal is therefore considered to have an acceptable visual impact on the street scene.

To assure the quality of the design, it is recommended that in the event of an approval a condition is included to submit final details on the colour of the pergola frame and canopy, as well as confirmation on the material and finish for the incorporated planters.

Subject to condition, the proposal is considered to comply with Policies JP-Strat2 and JP-P1 of PfE; Policies DM1, EN1 and SP1 of the Core Strategy; Section 8 of the NPPF; and guidance contained within the Council's Shopfront and Signage Design Guide.

Highways

Where the pergola seating area would extend towards The Avenue, it would project as far as the adjacent Thaikun external seating area and follow an established development line. At this aspect the external seating area is considered acceptable.

Where it would extend towards Crown Square, it would project beyond the adjacent Alchemist unit's external seating area by 2.39m and occupy a substantial portion of the footway. It is acknowledged that the external layout would disrupt the existing linear pedestrian route along Crown Square. However, a similar footprint was approved in application 134716/FO/2022 at a time when there were a digital advertising totem and public bins in a similar position as the existing totem.

The remaining footway would have an approximate 9m width, with a 6.78m clearance retained to an existing tree and a 2m clearance retained to an existing digital advertisement totem. There would also still be a 5.83m clearance to the Crown Court steps retained on the other side of the totem with sufficient space for pedestrian routes and wheelchair users.

Highways originally commented on the application recommending that a width of 2m is retained between the existing totem and proposed pergola along Crown Square. Following submission of a revised scheme 26/11/2025 with a reduced footprint showing this 2m gap, Highways have confirmed that the proposal is acceptable.

On balance, given the volume of pedestrian traffic, it is considered that while the proposal would disrupt the linearity of the route it would not have an unacceptable impact on the Crown Square pedestrian route would not result in a highways safety impact.

In view of the above, the proposal is considered sufficiently compliant with PfE Policies JP-C5 and JP-P1, Core Strategy Policies SP1, CC5, CC10, T1 and DM1; saved UDP Policy DC22; and the National Planning Policy Framework.

Noise

The unit's existing frontage would not be able to open to the external seating area, nor would the proposal feature any new openings to the frontage. On this basis, it is not considered that a condition for noise breakout from the main restaurant would be required in the event of an approval. Environmental Health are also satisfied that no such condition is required to this effect.

With respect to noise from the external seating area, in correspondence dated 03/10/2025 the applicant has confirmed that the external seating area would only be open between the hours of 11:00am to 23:00pm throughout the week Monday-Sunday. Environmental Health are satisfied with the above. In the event of any approval, it is recommended that a condition to restrict hours to the above is added to the decision notice.

Environmental Health have also reviewed the applicant's proposal to play music within the external seating area to background noise levels. They view that subject to a Noise Impact Assessment demonstrating that any music or sound played externally does not exceed the background noise levels, and a subsequent verification report validating this is the case, the proposal would be acceptable. In the event of any approval, it is recommended that such a condition is added to the decision notice.

Environmental Health also recommended a Construction Hours condition, however this is not considered necessary to include in the event of an approval.

Subject to the above condition, the proposed development is considered to be acceptable in terms of noise disamenity and to accord with Places for Everyone Policy JP-P1, Core Strategy Policies SP1 and DM1, saved UDP policy DC26 and the National Planning Policy Framework as they relate to noise.

Security

In correspondence dated 26/09/2025 the applicant has confirmed that the proposed awnings would be retractable and soft furnishing are to be removed out of hours to prevent loitering after hours. CCTV would also be integrated to cover the external area in full as a requirement of the license. Design for Security consultees have reviewed the application and have no objection to the scheme in view of the above factors.

On this basis, it is considered that the proposed pergola would have sufficient arrangements to prevent congregation and loitering within the external space, having an acceptable impact on antisocial behaviour. As such it is compliant with Section 8 of the NPPF, the Places for Everyone Joint Development Plan Policies JP-C5 and JP-P1; Core Strategy Policies SP1 and DM1; and saved Unitary Development Plan Policy DC10 as they relate to safety and designing out crime and antisocial behaviour.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application.

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

1) Time

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) Specified Plans and Documents

The development hereby approved shall be carried out in accordance with

the location plan received 20/08/2025,
the Noise Impact Assessment [Technical Note:0572021-001 dated 14th May] received 26/09/2025

Correspondence dated 03/10/2025 re: hours

the following drawings received 26/11/2025:
PA 003-02
PA 004-02

PA 005-03
PA 006-03
PA 007-01

Reason - To ensure that the development is carried out in accordance with the approved plans and pursuant to Places for Everyone Policies JP-Strat2, JP-C4, JP-P1 and JP-S1, Core Strategy policies SP1, CC1, CC5, CC9, CC10, T1, EN1, and DM1; Saved UDP Policy DC22; Sections 9 and 12 of the NPPF; and guidance contained within the Council's Shopfront and Signage Design Guide.

3) Details of Materials

Notwithstanding the details as set out in condition 2 above, prior to the commencement of the erection of the structure, full and final details of the materials shall be submitted for approval by the City Council as Local Planning Authority. For the avoidance of doubt these shall include:

- details of the RAL colour of the pergola frame and canvas canopies,
- dimensions of pergola frames (with product specification)
- details of the material and finish of the planters,

Reason - To ensure the appearance of the pergola to be erected is not adversely affected by the materials to be used in the construction of the structure. Pursuant to PfE Policies JP-P1 and JP-Strat2; Core Strategy policies SP1, EN1, and DM1; Section 8 of the NPPF; and guidance contained within the Council's Shopfront and Signage Design Guide.

4) External Seating Hours

The development shall only allow use of external areas within the application site between the hours of 11:00am to 23:00pm Mondays-Sundays in accordance with correspondence dated 03/10/2025.

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 policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the UDP.

5) External Seating Amplified Sound and Music

- a) Prior to the first playing of any sound or any music played within the external terrace area, a Noise Impact Assessment that specifies the background noise level within the external area and demonstrates that the sound or music will not exceed background noise level within the external area with details of any required noise mitigation levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall not allow for the use of amplified sound or any music above background noise levels in the external seating areas at any time, and any background music played to or below background noise levels must be carried out in accordance with the approved Noise Impact Assessment.
- b) Prior to the first operation of any sound or any music played to background levels within the external terrace area, a verification report, which will include post-

completion testing, shall be submitted to and approved in writing by the Local Planning Authority to validate that the sound or any music will not exceed background noise level within the external area.

- c) In the event of non-conformity with background noise levels, then any sound or any music played in the external terrace area shall cease until measures/changes required to achieve conformity are carried out. Any required measures/changes and verification to achieve conformity shall be agreed by the Local Planning Authority before sound or any music played to background levels can commence.

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 policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the UDP.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Unit 1, 4 Hardman Square, Manchester, M3 3EB
Fourth Floor, 3 Hardman Street, Manchester, M3 3HF
Ruh Dental, Unit G5, Crown Square, Manchester, M3 3AY
Third Fourth And Fifth Floors, 4 Hardman Square, Manchester, M3 3EB
Tenth Floor, 3 Hardman Street, Manchester, M3 3HF
Twelfth Floor, 3 Hardman Street, Manchester, M3 3AU
First Floor, Deans Court, Crown Square, Manchester, M15 5FU
Medika Clinic, 3 Hardman Street, Manchester, M3 3AX
Eleventh Floor, 3 Hardman Street, Manchester, M3 3AU
Unit G18 And G19, Crown Square, Manchester, M3 3AY
Unit G16 G16A And G17, Crown Square, Manchester, M3 3AY
Advertising Right Outside Crown Court, Crown Square, Manchester, M3 3FL
First Second And Third Floors, 4 Hardman Square, Manchester, M3 3EB
4 Hardman Square, Manchester, M3 3EB
Ground Floor, 3 Hardman Street, Manchester, M3 3AX
Ninth Floor, 3 Hardman Street, Manchester, M3 3HF
Seventh Floor, 3 Hardman Street, Manchester, M3 3HF
Unit G8 And G9, Crown Square, Manchester, M3 3AY
Unit G3 And G4, Crown Square, Manchester, M3 3AY
Unit 1B, 4 Hardman Square, Manchester, M3 3EB
Advertising Right Outside 4, Hardman Square, Manchester, M3 3EB
First Floor, 3 Hardman Street, Manchester, M3 3AW
Advertising Right Outside 3, Hardman Street, Manchester, M3 3HF
Unit G20, Crown Square, Manchester, M3 3AY
Second Floor, Deans Court, Crown Square, Manchester, M15 5FU
Unit G14 And G15, Crown Square, Manchester, M3 3AY
Advertising Right Outside 14, Hardman Street, Manchester, M3 3HF
The Crown Court, Crown Square, Manchester, M3 3FL
Second Floor, 3 Hardman Street, Manchester, M3 3AW
Sixth Floor, 3 Hardman Street, Manchester, M3 3AT
Third Floor, 3 Hardman Street, Manchester, M3 3AW
Spinningfields Magistrates Court, Crown Square, Manchester, M60 1PR
Bagel Nash, 4 Hardman Square, Manchester, M3 3EB
Impress Manchester, 3 Hardman Street, Manchester, M3 3AX
Eighth Floor, 3 Hardman Street, Manchester, M3 3HF
Unit G6 And G7, Crown Square, Manchester, M3 3AY
The Oast House, Crown Square, Manchester, M3 3AY

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL