

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Ian Miller
Luxury Leisure
C/o Agent

Agent (if used)

Haris Kasuji
RR Planning Ltd
82A Otley Road
Leeds
LS6 4BA

Part 1 – Particulars of the application/development

Proposal: Change of use of ground floor from Class E to Sui Generis Adult Gaming Centre, with installation of 2no replacement air conditioning units and elevational alterations including new doors to Portland Street and Reyner Street.

Location: Basement To First Floor, 58 - 60 Portland Street, Manchester, M1 4QT

Date of application: 3 December 2025

Application number: 144471/FO/2025

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. The proposal is contra to Council policy and there was no information that the applicant could provide which would overcome those concerns. The applicant that the proposal was unacceptable and the application was determined in a timely manner.

Reason(s) for decision

1) The 24-hour opening hours for the proposed Adult Gaming Centre would lead to unacceptable levels of noise and disturbance from the coming and going of customers external to the property particularly during more sensitive times of the day such as late evenings and nighttime. This proposal would cause unduly harmful impacts on nearby sensitive residential accommodation including that directly to the rear of the property [Faulkner Court, Faulkner Street]. The proposal would therefore be contrary to policies DM1 (Development Management) and SP1 (Spatial Principles) of the Manchester Core

Strategy (2012) and saved policy DC26 (Development and Noise) of the Unitary Development Plan for the City of Manchester (1995), Policy JP-P 1 (Sustainable Places) JP-P 6 (Health) of Greater Manchester's emerging Places for Everyone Guidance and National Planning Policy Framework (NPPF) particularly Section 8 (Promoting healthy and safe communities).

2) There is insufficient evidence to demonstrate that the noise outbreak from the building and use together with the external plant would not cause unacceptable noise levels. In particular, it has not been possible to demonstrate that the proposal would not cause any unduly harmful impacts on nearby sensitive residential accommodation including that to the rear of the property. The proposal would therefore be contrary to policies DM1 (Development Management) and SP1 (Spatial Principles) of the Manchester Core Strategy (2012) and saved policy DC26 (Development and Noise) of the Unitary Development Plan for the City of Manchester (1995), Policy JP-P 1 (Sustainable Places) JP-P 6 (Health) of Greater Manchester's emerging Places for Everyone Guidance and National Planning Policy Framework (NPPF) particularly Section 8 (Promoting healthy and safe communities).

3)) The external alterations proposed to the entrance on Portland Street and the air-conditioning units proposed to be installed on the Reyner Street elevation detrimentally affect the character of this well presented and maintained non-designated heritage asset by virtue of their siting, scale, design and appearance. They would result in obtrusive features in a prominent and highly visible location in the City Centre. The proposed alterations would impact on the setting of the non-designated heritage asset subject of this application and the George Street Conservation Area. The proposed alterations are low quality and are not in keeping with the appearance of this historic building and are incongruous. The proposal would result in less than substantial harm to the significance of these designated and non-designated heritage assets and the required public benefits do not exist to outweigh the harm identified. The proposed alterations would therefore be contrary to Places for Everyone Policies JP-Strat2, JP-P1, JP-P2 and Core Strategy Policies SP1, CC9, EN1, EN3 and DM1 , saved UDP policies DC18 and DC19; Sections 66(1) and 72(1) of the Listed Buildings and Conservation Areas Act 1990; and guidance contained in Sections 12 and 16 of the National Planning Policy Framework.

4) The proposed 24-hour opening times for the use would attract more people to the area later in the evening and night. This would likely exacerbate the existing anti-social and crime issues within the immediate area particularly due to the close proximity of Manchester China Town, where there are known crime and anti-social behaviour issues, together with being on a route to and from Piccadilly Gardens interchange. The proposals are therefore considered to be contrary to policies JP-Strat2 and JP-P1 of Places for Everyone, SP1 and DM1, of the Core Strategy, Section 7 and 8 of the National Planning Policy Framework.

Date: 28 January 2026

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.