MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	144687/FO/2025
Date registered valid:	3 December 2025
Proposal:	Erection of external unit to store tables and chairs.
Address:	2 - 10 Albert Square, Manchester, M2 6LW
Ward(s):	Deansgate Ward
Applicant:	Mr David Espley, JW Lees
Agent (if any):	Mr Michael Healy, Michael Healy Limited
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**23 January 2026**

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 10 December 2025

Standard consultations:
Printed: 9 December 2025 Expired: 2 January 2026

Neighbour notifications
Printed: 9 December 2025 Expired: 2 January 2026

Site notice
Posted: 9 December 2025 Expired: 2 January 2026

Press advert
Published: 16 December 2025 Expired: 9 January 2026

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Albert Square Conservation Area 1972

Tree Preservation Order:

The proposal relates to the ground floor space of 2 - 10 Albert Square, which is currently occupied by 'Founders Hall', a J W Lees public house that was until a recent re-brand was known as 'Duttons'.

The site is located within Albert Square, and within the Albert Square Conservation Area, situated right in the heart of Manchester City Centre.

Albert Square is currently undergoing a significant regeneration as a part of the works to improve Manchester Town Hall.

The public house takes up the ground floor and basement of the elevation of 2-10 Albert Square that faces out on to Albert Square. The upper levels of the building contain offices. Although 2-1 Albert Square is not historic, as the description of the Albert Square Conservation Area notes:

"the recent office blocks opposite the Town Hall were designed to be of sufficient architectural quality to contribute to and 'contain' the square, and to complement the Town Hall without competing with it."

The building features an arched brick recess / colonnade on the building's principal elevation that faces on to Albert Square.

The external seating area is located beneath the colonnade and on the pavement directly in front of the public house on Albert Square.

The uses of the surrounding buildings are varied in nature and include offices, drinking establishments, cafes, restaurants.

The site must be considered within the context of various listed buildings, including the Grade I listed Manchester Town Hall, and the Albert Square Memorial, as well as the Grade II listed 1 Albert Square, Jubilee Fountain, Bright's Statue, Heywood's Statue, and Gladstone's Statue.

Description of Development

The proposal seeks planning permission for the erection of an external unit to store tables and chairs.

There is an unauthorised timber structure in place with planters and roller shutter. The proposed scheme is to replace this was previously refused.

Related Applications

139664/FO/2024 - Retention of reclaimed timber enclosure with planters and roller shutter, main entrance pergola, and external lighting.
Refused May 2024.

Consultations & Notification Responses

Publicity - Neighbour notification letters were sent to surrounding properties. A site notice and local press advert were also produced. At the time of writing this report, no representations have been received because of this publicity.

Highway Services - Have no objections. Informative added at their request concerning any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements

Environmental Health - Had no comments to make.

Policy

Places for Everyone (2024)

- JP-Strat2 - City Centre
- JP-P1 - Sustainable Places
- JP-P2 - Heritage

The Adopted Core Strategy for the City of Manchester (2012)

- SP1 (Spatial Principles)
- EN1 (Design Principles and Strategic Character Areas)
- EN3 (Heritage)
- CC9 (Design and Heritage)
- DM1 (Development Management)

The Unitary Development Plan (UDP) for the City of Manchester (1995)

- DC18.1 (Conservation Areas)
- DC19.1 (Listed Buildings)

National Planning Policy Framework (NPPF) (2024)

- Section 12 (Achieving well-designed places)
- Section 16 (Conserving and enhancing the historic environment)

Draft National Planning Policy Framework (NPPF) (2025)

The government has published a consultation National Planning Policy Framework which is intended to improve housebuilding rates through a clearer, more predictable and faster policy basis for decision and plan making.

Whilst this is a draft NPPF for consultation it is considered that the development proposals are in accordance with the general thrust of policy contained within it. As set out in the printed report no adverse impacts have been identified through consideration of the application proposals that would outweigh a positive decision in this instance.

The National Design Guide (January 2021)

Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990

Issues

Principle of Development

Founder's Hall have a pavement licence for external tables, chairs and barriers for an external seating area. This licence is secured through Highway Services and does not require planning permission.

As a part of the pavement licence, the tables, chairs and barriers must be stored internally in the evening and not be left out permanently.

The structure is required for the storage of external beer garden furniture as required by the Pavement licence between the hours of 11pm and 8am.

In an ideal scenario, no such structure would be required, and the furniture would be stored internally within the existing footprint of the premises overnight.

However, there are various events that are held or will be held in Albert Square throughout the year, most notably the Christmas Markets. During these periods, the outdoor seating area is significantly reduced in size, much of the outdoor furniture has to be stored during opening day hours for the premises and the internal premises still has to operate during this time. The outdoor seating, tables and barriers cannot be stored inside when these events are on as the internal premises itself will be open and operational.

Greater Manchester Police Secured by Design Team requested the applicant for the business to provide a secure storeroom and other departments from Manchester City Council have indicated to J W Lees that they wish to have outdoor seating in Albert Square in order for the area to have a European Piazza feel.

Therefore, in this particular case, given the very specific circumstances to Albert Square, which will regularly be holding events throughout the year that will require the outdoor furniture to be

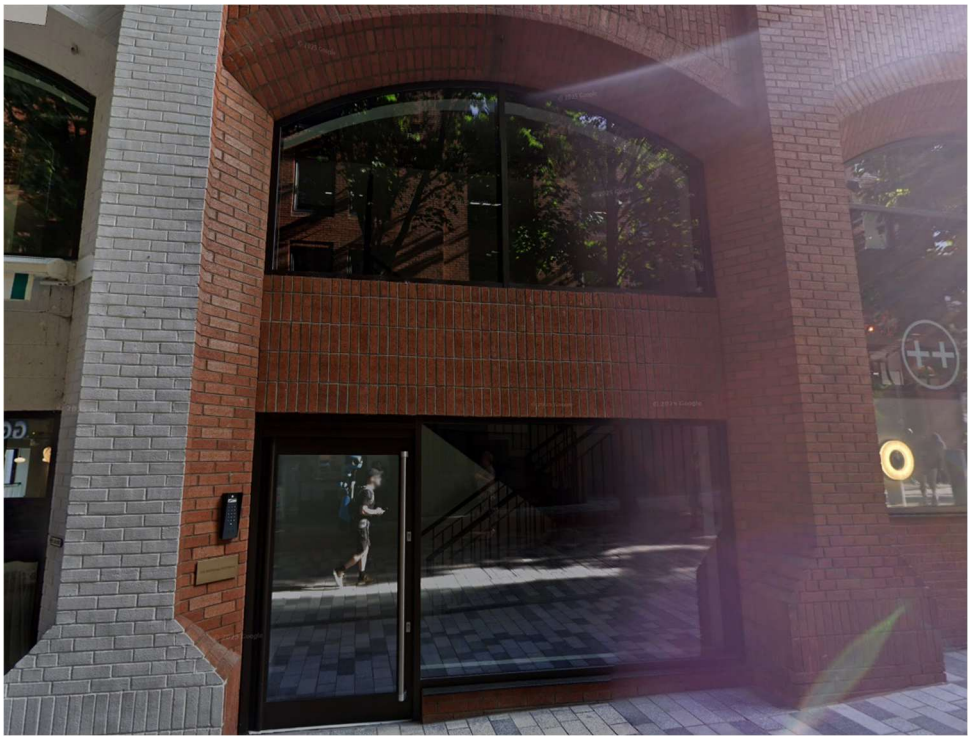
secured stored, the principle of development is acceptable in this particular case. In many other cases, such a structure would not be considered acceptable, however and the general stance of the City Council would be that such outdoor seating furniture should be stored indoors overnight, unless there were exceptional circumstances that would prevent this.

Visual Amenity

The structure will sit within an arched brick colonnade in the elevation.

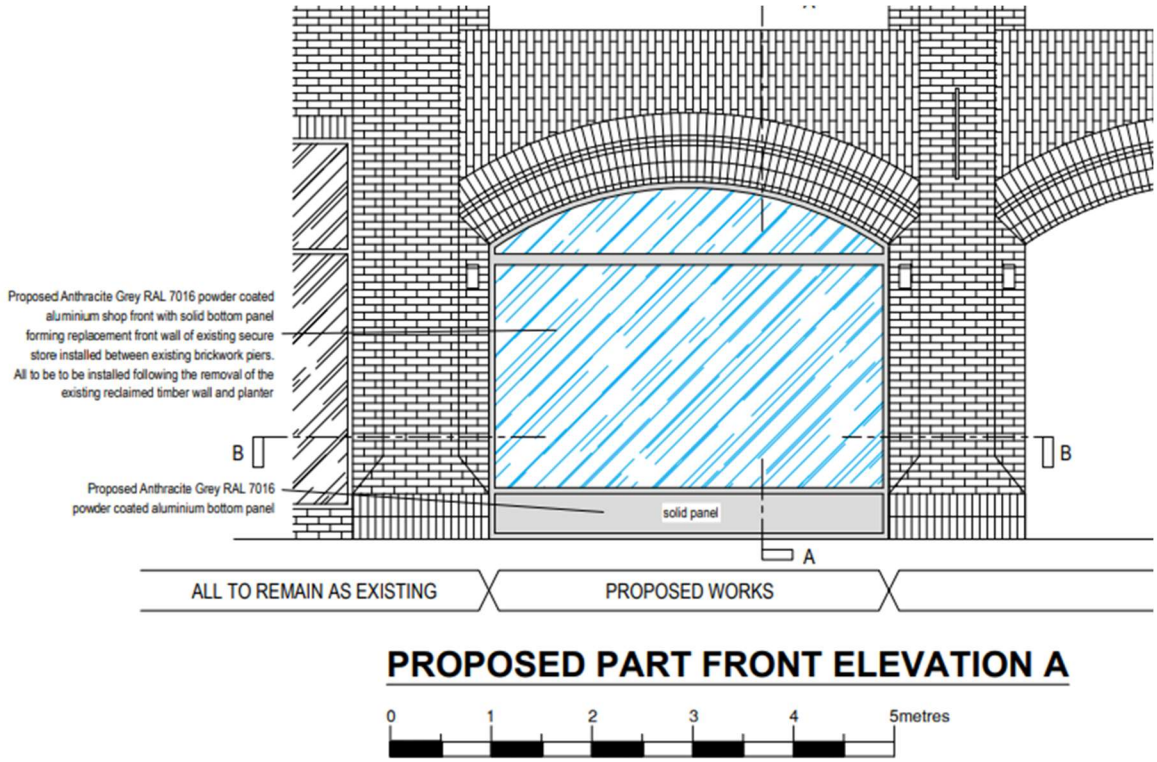
Existing elevation

There has been an established design precedence set on this building on the Brazennose Street elevation.

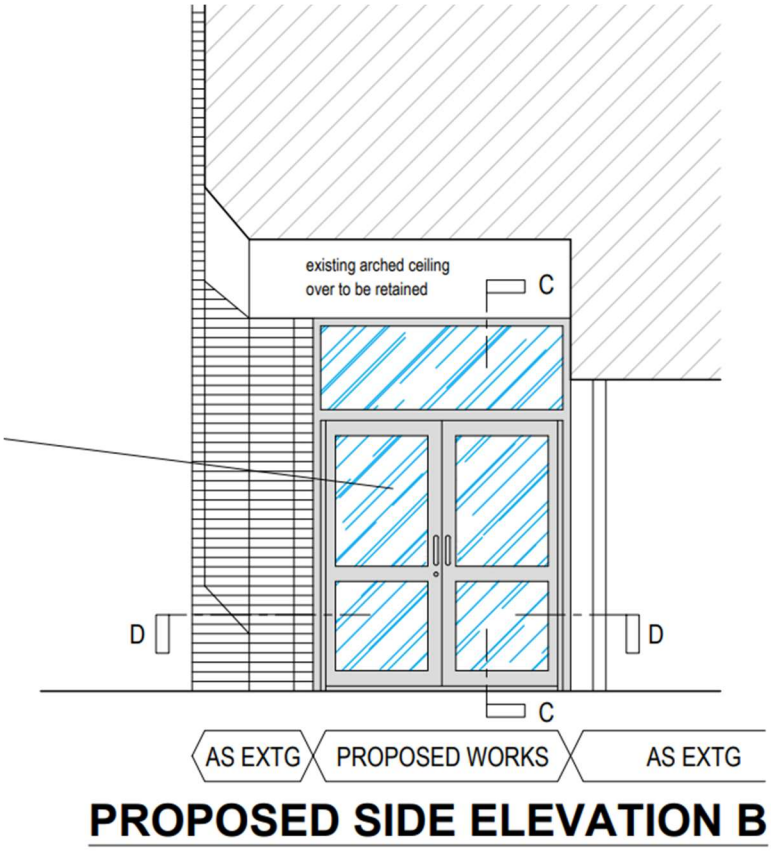


Infilled archway on Brazennose Street elevation

Design wise, the proposals will take the lead from this established design precedence, with a mostly glazed infill to the elevations with powder-coated aluminium frames. Whilst the frames on Brazennose Street are bronze frames, these will be Anthracite Grey RAL 7016 to match the colour of the frames already in place at the Founder's Hall unit, in order to prevent an uneven appearance in the window frame appearance on this particular unit.



Proposed elevation facing on to Albert Square



Proposed side elevation

The window and door frames are considered to not be too chunky.

Material wise, the glazing and aluminium frames are much more in keeping with established design precedence in the area than the unauthorised timber enclosure, which reads as a more temporary and low-quality fixture in the area.

The removal of the low level planter currently in place on the front elevation is considered to remove unnecessary clutter, and the removal of the roller shutter would see the removal of an incongruous feature that is out of keeping with surrounding visual amenity.

Existing side elevation

Overall, it is considered that the proposals will be in keeping with the high-quality design of the surrounding area and be complimentary to the high-quality public realm amenity of Albert Square, which is currently undergoing significant regeneration as a part of the Town Hall Regeneration Project. This project has an entire budget of £330 million across the Town Hall and Albert Square, and any works in the surrounding area should complement this significant regeneration project.

Impact on Heritage

The site is situated within the heart of Albert Square Conservation Area, within the setting of the Grade I listed Manchester Town Hall, and the Albert Square Memorial, as well as the Grade II listed 1 Albert Square, Jubilee Fountain, Bright's Statue, Heywood's Statue, and Gladstone's Statue.

Due to appropriate materiality and design that are in keeping with the established precedent in the Conservation Area, within the setting of listed buildings, it is not considered that the proposed structure would result in harm to these heritage assets.

Access

The proposal will have no impact on access into the premises. There will still be level access through the door.

Having a place to appropriately store the furniture will improve access routes through the pedestrianised areas of Albert Square, particularly when events are on in this space.

Public Safety

There are no public safety concerns with the proposals.

Conclusion

Given the above, the proposal is considered to be consistent with the relevant policies set out above and is therefore approved with conditions attached.

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 polices 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

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, received by Manchester City Council as the Local Planning Authority on 08 December 2025:

- Site location plan 1364_01

Received by Manchester City Council as the Local Planning Authority on 23 January 2025:

- Proposed Plans and Elevations 1364_03 D

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy and saved policies DC18 and DC19.

3) The materials used in the external surfaces of the development hereby approved shall be as follows:

- In accordance with the window and outer door frame samples received by the City Council on 22 January 2026, which shall be powder coated aluminium in Anthracite Grey RAL 7016. The 'D' handles, as shown on 'Proposed Plans and Elevations 1364_03 D', shall also be in Anthracite Grey RAL 7016.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies SP1 and DM1 of the Core Strategy and the requirements of the National Planning Policy Framework.

Highway Licensing

1) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via email at highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Xana Health Manchester Clinic, 1 Albert Square, Manchester, M2 6LW
Ground Floor, 2 - 10 Albert Square, Manchester, M2 6LW
Fourth Floor, 2 - 10 Albert Square, Manchester, M2 6LW
Third And Fourth Floor, 38 John Dalton Street, Manchester, M2 6LE
First And Second Floor, 38 John Dalton Street, Manchester, M2 6LE
Ground Floor, 38 John Dalton Street, Manchester, M2 6LE
Basement Store, 38 John Dalton Street, Manchester, M2 6LE
Ditto, 2 - 10 Albert Square, Manchester, M2 6LW
Basement, 2 - 10 Albert Square, Manchester, M2 6LW
Third Floor, 2 - 10 Albert Square, Manchester, M2 6LW
Flat A, 44 - 46 John Dalton Street, Manchester, M2 6LE
Malmin Dental Manchester, Basement And Ground Floor, 44 - 46 John Dalton Street, Manchester, M2 6LE
Flat B, 44 - 46 John Dalton Street, Manchester, M2 6LE
Optimax Laser Eye Clinic, Third Floor, 1 Albert Square, Manchester, M2 6LW
Serviced Apartment 4, 42 John Dalton Street, Manchester, M2 6LE
Serviced Apartment 3, 42 John Dalton Street, Manchester, M2 6LE
Serviced Apartment 2, 42 John Dalton Street, Manchester, M2 6LE
Flat 1, 42 John Dalton Street, Manchester, M2 6LE
40 John Dalton Street, Manchester, M2 6LE
38 John Dalton Street, Manchester, M2 6LE
Maray Restaurant, 2 - 10 Albert Square, Manchester, M2 6LW
First Floor, 2 - 10 Albert Square, Manchester, M2 6LW
Duttons, 2 - 10 Albert Square, Manchester, M2 6LW
Flat C, 44 - 46 John Dalton Street, Manchester, M2 6LE
Second Floor, 2 - 10 Albert Square, Manchester, M2 6LW
Basement To First Floor, 1 Albert Square, Manchester, M2 3LW
1 Albert Square, Manchester, M2 3FU
Second Floor, 1 Albert Square, Manchester, M2 6LW
Skin Clinics, Fourth Floor, 1 Albert Square, Manchester, M2 6LW
Fifth Floor, 2 - 10 Albert Square, Manchester, M2 6LW

Appendix 2 – Planning constraints

Conservation Area - Albert Square Conservation Area 1972