

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development, and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Part 1 – Particulars of the application/development

Proposal:

Creation of flexible commercial use (Use Class E) and (Use Class Sui Generis - public houses, wine bars, or drinking establishments) including external elevation works.

Location:

Units 1 And 3 Nq Building 43-45 and 49 Bengal Street Manchester M4 6AF

Application reference:

145564/FO/2026

Applicant:

Lowry Investments (NW) Limited

Date of application:

30 March 2026

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

In assessing the merits of a planning application, officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. All such issues have been resolved due to the discussions within the applicant and the conditions.

Condition(s) attached to this decision

- 1) The development must be begun not later than three years beginning with the date of this permission.

Reason - Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

· Drawing: NQ-PD-SHP-B5D9-G100-EL-EE-0001 (All Received 30 March)

- Drawing: NQ-PD-SHP-B5D9-G100-EL-ES-0001
- Drawing: NQ-PD-SHP-B5D9-G100-EL-EW-0001
- Drawing: NQ-PD-SHP-B5D9-G251-EL-ES-0001
- Drawing: NQ-PD-SHP-B5D9-G100-PL-GRD-0001
- Drawing: NQ-PD-SHP-B5D9-G100-PL-GRD-0002
- Document: Design and Access Statement, prepared by Renaker * amended
- Document: NQ Building, December 2025, Local Labour Agreement
- Document: Noise Impact Assessment, prepared by Fisher Acoustics
- Document: Retail Management Strategy Rev. B, prepared by Renaker
- Document: Ventilation Statement - NQ Building, prepared by FutureServ

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.

- 3) Prior to the commencement of the development hereby approved, a detailed construction/fit-out management plan outlining working practices during the construction phase of the development shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The plan shall include detail on the following matters;

- Communication strategy with residents and businesses
- Display of an emergency contact number; Details of wheel washing where relevant;

Dust suppression measures, including a section on air quality and the mitigation measures proposed to control fugitive dust emissions;

- Details regarding location, removal and recycling of waste (Site waste management plan);
- Phasing and quantification/classification of vehicular activity;
- Types and frequency of vehicular demands - Routing strategy and swept path analysis;
- Parking for construction vehicles and staff;
- Sheeting over of construction vehicles;
- A commentary/consideration of ongoing construction works in the locality;

- Construction and demolition methods to be used;
- The erection and maintenance of security hoardings where relevant;
- Details of how access to adjacent premises would be managed to ensure clear and safe routes into buildings are maintained at all times;
- Community consultation strategy, including details of stakeholder and neighbour consultation prior to and during the development along with the complaints procedure;
- Pedestrian management proposals;
- Loading and unloading of plant and materials;
- The design, erection, maintenance and dismantling of scaffolding.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The construction of the development shall then be carried out in accordance with the approved plan.

Reason - To safeguard the amenities of nearby residents and in the interest of highway safety, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy

- 4) Prior to the commencement of the external works associated with the development hereby approved exact details regarding their dimensions and finish, including material samples and sections where appropriate, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. This shall include the following:
 - Installation of new windows
 - Installation of new external doors
 - Installation of new louvres with decorative grilles
 - Brick for window replacement

The approved details shall be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

- 5) The three premises shall not be open to the public outside the following hours:

· Monday to Saturday: 08:00 to 23:00

· Sunday (and Bank Holidays): 08:00 to 22:00 There shall be no amplified sound or any amplified music at any time within these spaces unless can be demonstrated by condition 16.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policies DC26.1 and 26.5.

- 6) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policies DC26.1 and 26.5

- 7) The 3no. Units hereby approved shall be occupied as Class E (excluding indoor sport, recreation or fitness, and convenience retail) or drinking establishment with expanded food provision (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester (2012).

- 8) All windows, unless otherwise shown the approved drawings detailed in condition 10, shall be retained as a clear glazed window openings at all times and views into the

premises shall not be screened or obscured in any way, with the exception of that required for building control regulations.

Reason - The clear glazed windows are an integral and important element in the design of the lower level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy,

- 9) All alterations to the property, including the provision of new windows and doors, hereby approved shall be completed to secured by design standards.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

- 10) The development hereby approved shall install signage and advertisements in accordance with the following plan for its lifetime:

· Design and Access Statement Section 10.0 'Signage Strategy', prepared by Renaker (Received 6 April 2026)

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

- 11) The 3no. commercial Class E units hereby approved shall not be sub-divided nor amalgamated for the lifetime of the development unless explicit planning permission for such works is granted.

Reason - The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality in accordance with Core Strategy Policies SP1, EC2 and DM1, and the National Planning Policy Framework.

- 12) The development hereby approved shall include for full level access to be provided throughout each unit.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1

- 13) a) Prior to first use of each commercial unit hereby approved, a scheme for the storage and disposal of refuse (including location of bin storage) shall be submitted to and approved in writing by the City Council as Local Planning Authority.

This scheme shall include:

- Estimated volumes and types of waste produced by the development;
- Details of internal stores for both waste and recycling, including any plans and designs;
- Location of the proposed collection point and details of the route the collection vehicle will take;
- Details of how waste will be transferred between stores and to the collection location; and
- Other details as per 'Waste Proforma V1' - refer to guidance at:
http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

- b) The details of the approved scheme shall be implemented as part of the development and be in place prior to the first use of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to Core Strategy policies SP1, DM1 and EN19.

- 14) a) Prior to first use of each commercial unit hereby approved, a scheme for the extraction of any fumes, vapours and odours from the premises shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented before the first use of each commercial unit and shall remain operational thereafter.
- b) Prior to first use of each commercial unit, confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In order to ensure the efficient dispersal of cooking odours from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to character and appearance of the host building and the surrounding area in accordance with policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

- 15) a) Before the installation of external lighting to each commercial unit hereby approved, an external lighting scheme to control glare and overspill onto nearby residential properties, shall be submitted for approval in writing by the Council, as Local Planning Authority.
- b) Prior to the operation of lighting fixtures and equipment a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - In the interests of amenity, crime reduction and the personal safety in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

- 16) a) Notwithstanding the Acoustic Report by Fisher Acoustics, stamped as received by the City Council, as Local Planning Authority, on the 30 March 2026, prior to the first use of each commercial unit as indicated on drawing NQ-PD-SHP-B5D9-G100-PL-GRD-0002, stamped as received by the City Council, as Local Planning Authority on the 30 March 2026, a scheme of acoustic insulation for the commercial units shall be submitted for approval in writing by the City Council, as Local Planning Authority.

b) Prior to the first use of each of the commercial units, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

- 17) a) Prior to first use of each commercial unit, either a scheme that demonstrates that any plant equipment will achieve a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location, or a scheme showing a method to acoustically treat/insulate any plant equipment so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location, shall be submitted to and approved in Page 5 of 10 143689/FO/2025 writing by the Local Planning Authority. The use of each commercial unit shall then be carried out in accordance with the approved details.

b) Prior to the first use of each commercial unit, a verification report, which will include post completion testing, shall be submitted to and approved in writing by the City Council, as Local Planning Authority to validate that the plant equipment achieves a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band at the nearest noise sensitive location.

c) In the event of non-conformity with a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band, then any measures/changes required to achieve conformity shall be carried out. Any required measures/changes and verification shall continue until conformity has been achieved and agreed in writing by the Local Planning Authority, before the use 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.

- 18) Prior to the first use of a commercial unit for any Class E (b) or drinking establishment use (Sui Generis) details of the following shall be submitted to and agreed in writing by the City Council as Local Planning Authority:

A Management Strategy for patrons. For the avoidance of doubt this shall include:

- *An Operating Schedule for the premises (prevention of crime and disorder, prevention of public nuisance, Management of smokers)
- *Details of a Dispersal Procedure
- Mechanism for ensuring windows and doors remain closed after 9pm

The approved strategy shall be implemented as part of the occupation of each commercial unit and remain in place for as long as it remains in use.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

- 19) Prior to the first use of the development, a servicing plan which includes details of servicing and deliveries including access routes, vehicle frequency and type shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The approved servicing plan shall be implemented as part of the development and retained for as long as the development remains in use.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

Informatives

Extract

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.

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address: www.manchester.gov.uk/roads-and-transport/street-naming-and-numbering

Mining

Please see information relating to mining in Appendix A.

Date: 29 May 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 permission refers 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.

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 his 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.

Right of challenge on planning application decision

A third party does not have a right of appeal against a decision on a planning application. Instead, there is a right of challenge (a Judicial Review) which is limited to lawfulness of the procedure that we have taken in coming to that decision.

Any challenge must be based on the following and not the merit of the decision:

- Procedural irregularity
- Irrationality
- Illegality

Any application for permission to bring such a challenge (which is through the High Court) must be made within 6 weeks of the date of the decision being issued.

Appendix A - Mining Information



STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

Standing Advice valid from 1st January 2025 until 31st December 2026