

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

Applicant

Mr Sam Dyson
Track Brewing Company Ltd
5 Sheffield Street
Manchester
M1 2ND

Agent (if used)

Mr Euan Kellie
Euan Kellie Property Solutions
Landmark House
Station Road
SK8 7BS

Part 1 – Particulars of the application/development

Proposal: The temporary installation (for a period of five years) of a gas-fired outdoor mobile boiler room within external service yard.

Location: Units 17-18 Piccadilly Trading Estate , Gidding Road, Manchester, M12NP

Date of application: 17 March 2021

Application number: 129498/FO/2021

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Temporarily 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 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. In this instance, this has included advice about information and amendments required to allow the approval of the application.

Condition(s) attached to this decision

1) The planning permission hereby granted is for a limited period only, which shall expire on 30 June 2026. The use/development for which permission is hereby granted is required to be discontinued on or before that date (30 June 2026) and all associated development shall be removed, any use of the land/building authorised by this permission shall be discontinued, and the land/building shall be reinstated/made good in accordance with a scheme previously approved.

Reason - The use hereby approved is of a temporary nature only and pursuant to Core Strategy Policies SP1 and DM1.

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

The site location plan referenced TQRQM21026101350031 received by the City Council as local planning authority on 17 March 2021

The drawing referenced 001 - Proposed General Arrangement received by the City Council as local planning authority on 17 March 2021

The following documents:

The Noise Impact Assessment prepared by KP Acoustics
Containerised Boiler Brochure prepared by Unical Steam
Data Sheet 1: Containerised Boiler Specifications prepared by Unical Steam
Data Sheet 2: Information Sheet Gas Burner prepared by FBR
Unical Container Image prepared by Unical Steam
Unical Boiler prepared by Thermal Steam Limited
Unical Steam Boiler Data Manual prepared by Unical Steamer
Approved Code of Practice prepared by HSE
Guidance on Safe Operation of Steam Boilers prepared by The Combustion Engineering Association and the Safety Assessment Federation

received by the City Council as local planning authority on 24 February 2021

Fire Emergency Action Plan and Fire Risk Assessment prepared by Track Brewing
Example Combustion Reports prepared by Paul Edwards Services in respect of Five Points Brewing Co boiler in Hackney, London

received by the City Council as local planning authority on 10 March 2021.

Service Schedule of Unical BAHR 12 Steam Boiler prepared by Thermal Steam Limited
Written Scheme of Examination HSE Pressure Systems Regulations 2000 prepared by HSE
Method Statement: Preparation of a Boiler for its Statutory Annual Insurance Inspection prepared by JBC
Method Statement: Schedule of Service for a Pressure Jet Gas Boiler prepared by JBC

received by the City Council as local planning authority on 17 March 2021.

United Utilities letter re: trade effluent consent to discharge to sewer - Track Brewing Company Limited. Letter includes Sewerage Map of Piccadilly Trading Estate. Dated 28 April 2021
Drainage Internal Plans prepared by Gravity Systems

received by the City Council as local planning authority on 28 April 2021.

The letter from Euan Kellie of Euan Kellie Property Solutions dated 23 February 2021, including photographs showing site (Appendix 1) received by the City Council as local planning authority on 17 March 2021.

The emails from Euan Kellie Property Solutions dated 10 March 2021 and 16 March 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies P1, EC1, EN1, EN8, EN14, CC1, CC4, CC7, CC10, T1, T2 and DM1 of the Core Strategy and saved policies DC10 and DC26 of the Unitary Development Plan and Section 8 of the National Planning Policy Framework and the Regulatory Reform (Fire Safety) Order 2005.

3) No development shall take place until evidence of trade effluent consent is submitted to and approved in writing by the Local Planning Authority. The works shall then be implemented fully and only as consented and shall be maintained for the duration of the use of the boiler hereby approved.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14 of the Core Strategy.

4) a) Before the installation and operation of the external boiler room hereby approved, shall be acoustically insulated in accordance with The Noise Impact Assessment prepared by KP Acoustics received by the City Council as local planning authority on 23 February 2021, in order to secure a reduction in the level of noise emanating from the equipment.

b) Upon completion of the development and prior to the equipment hereby approved being first used, a verification report shall be submitted to the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report (a). The report shall also undertake post completion testing to confirm that above criteria is 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 noise criteria.

This report shall be submitted to and approved in writing by the City Council as local planning authority prior to the equipment hereby approved being first used along with a timescale that confirms when any necessary changes will be implemented.

c) The equipment hereby approved shall be operated fully and only in accordance with the approved documents for the duration of the use hereby approved.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) The equipment hereby approved shall not be used outside the following hours:-

08:00 to 18:00 Monday to Friday

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) The following measures shall be incorporated into the development and shall be retained for the duration of the use of the equipment hereby approved:

a) The proposed external boiler room shall be of robust construction and no items of value/or cash shall be stored within it overnight, other than the boiler.

b) Any existing CCTV shall be reviewed to ensure that the external boiler room is covered.

Reason: To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy.

7) The boiler hereby approved shall be maintained in accordance with the following documents for the duration of its use:

Data Sheet 1: Containerised Boiler Specifications prepared by Unical Steam

Data Sheet 2: Information Sheet Gas Burner prepared by FBR

Unical Steam Boiler Data Manual prepared by Unical Steamer

Approved Code of Practice prepared by HSE

Guidance on Safe Operation of Steam Boilers prepared by The Combustion Engineering Association and the Safety Assessment Federation

received by the City Council as local planning authority on 24 February 2021

Fire Emergency Action Plan and Fire Risk Assessment prepared by Track Brewing received by the City Council as local planning authority on 10 March 2021.

Service Schedule of Unical BAHR 12 Steam Boiler. Prepared by Thermal Steam Limited

Method Statement: Preparation of a Boiler for its Statutory Annual Insurance Inspection prepared by JBC

Method Statement: Schedule of Service for a Pressure Jet Gas Boiler prepared by JBC

received by the City Council as local planning authority on 17 March 2021.

The letter from Euan Kellie of Euan Kellie Property Solutions dated 23 February 2021, including photographs showing site (Appendix 1) received by the City Council as local planning authority on 17 March 2021.

The emails from Euan Kellie Property Solutions dated 10 March 2021 and 16 March 2021

Reason - To ensure that the risk of fire is not increased due to the installation of the hereby approved boiler and to ensure proper operation and maintenance in accordance with the Core Strategy for the City of Manchester, in particular Policies CC10, SP1, EN3 and DM1 and Section 8 (Promoting Healthy and Safe Communities) of the National Planning Policy Framework and the Regulatory Reform (Fire Safety) Order 2005.

Informatives

This permission does not grant approval under Building Regulations.

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

The applicant should be advised that any requirements for licensing, hoardings/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 Contact Manchester 0161 234 5004.

The applicant has recognised the requirements of the Medium Combustion Plant Regulations (Guidance on safe operation of steam boilers) and the requirements to obtain a relevant environmental permit (under the Environmental Permitting (England and Wales) (Amendment) Regulations 2018) for the operation of such plant at the proposed development site from the EA. The applicant is required to seek to open dialogue with the EA's permitting regime to obtain the necessary approvals for operation as soon as practicable. It should be noted that the grant of planning permission does not necessitate the grant of an environmental permit or vice versa. The applicant/agent can contact the EA to discuss permitting requirements via our National Customer Contact Centre, by email via (enquiries@environment-agency.gov.uk) or by telephone (03708 506 506). Further advice on permitting requirements is also available via Further advice is available on the gov.uk website: <https://www.gov.uk/topic/environmental-management/environmental-permits>.

Date: 12 May 2021

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/planning-inspectorate. 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.