

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

Diecast Limited
C/o Agent

Agent (if used)

Ms Frances Hampson
Deloitte LLP
Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Change of use (for a temporary period of three years only) from an industrial foundry (Class B2) to a mixed-use development with retail, leisure and office uses (Use Class E and Sui Generis (drinking establishment)), external alterations including creation of new entrances and over-cladding of the roof, temporary installation of new structures within the forecourt and associated works including cycle parking and new electric vehicle charge points, the erection of external pergolas

Location: Presbar Foundry , Store Street, Manchester, M1 2JP

Date of application: 13 April 2022

Application number: 133523/FO/2022

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

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included discussions about the form and design of the developments, mitigation of potential impacts to the amenity of nearby residents and pre application advice about the information required to be submitted to support the application.

Condition(s) attached to this decision

1) The permission hereby granted is for a temporary period of three years only, with the consent expiring on 30 June 2025. The land and buildings shall be reinstated to their former use within six months, or such other time as previously agreed in writing by the Local Planning Authority, in accordance with a scheme and a timetable of

implementation which shall be submitted to and approved in writing by the City Council as Local Planning Authority before this permission expires.

Reason: The site and wider area are expected to undergo significant changes as a result of regeneration being promoted by the City Council and it will be necessary to reconsider the suitability and acceptability of the use of this site following this temporary period. This temporary permission will allow the City Council to reconsider the consequences of development on the site which are not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1, CC1, CC10, CC8 and DM1.

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

Plans

- Existing Site Plan/Location Plan (Drawing 343-01 dated February 2021) - Received 13 April 2022
- Existing Ground Floor Plan (Drawing 343-100 dated February 2021) - Received 13 April 2022
- Existing Mezzanine Plan (Drawing 343-101 dated February 2021) - Received 13 April 2022
- Existing Elevations (Drawing 343-102 dated February 2021) - Received 13 April 2022
- Proposed Site Plan (Drawing 343-02 Revision F dated March 2022) - Received 13 April 2022
- Proposed Ground Floor Plan (Drawing 343-400 Revision B dated March 2022) - Received 13 April 2022
- Proposed Mezzanine Plan (Drawing 343-401 Revision B dated March 2022) - Received 13 April 2022
- Proposed Elevations (Drawing 343-402 Revision B dated March 2022) - Received 13 April 2022
- Proposed Courtyard Elevations (Drawing 343-403 Revision A dated March 2022) - Received 13 April 2022

Supporting Documents

- Design and Access Statement prepared by JSA Design ('The Foundry' dated March 2022) - Received 13 April 2022
- Construction Management Plan ('Diecast Beerhalle and Night Market Construction Management Plan' dated March 2022) - Received 13 April 2022
- Crime Impact Statement (Reference 2022/0052/CIS/01 dated 25 March 2022) - Received 13 April 2022
- Crowd Management Plan prepared by FGH Security (Reference 'Crowd Management Plan' Version 1.4 dated 25 March 2022) - Received 13 April 2022
- Planning Statement prepared by Deloitte ('Beerhalle and Night Market, Manchester' dated March 2022) - Received 13 April 2022
- Statement of Consultation prepared by Counter Context - Received 13 April 2022
- Ventilation Statement prepared by APL Mechanical Services - Received 13 April 2022
- Planning Noise Assessment prepared by Hoare Lea (Reference REP-1013578-5A-AP-20220203-Planning Noise Assessment-Rev03) - Received 13 April 2022
- Servicing and Waste Management Strategy (Reference 220330/SK22213/SS01(-01) dated 30 March 2022) - Received 13 April 2022

- Transport Assessment (Reference 220330/SK22213/TS01(-01) dated 30 March 2022) - Received 13 April 2022
- Interim Travel Plan (Reference 220330/SK22213/ITP01(-01) dated 30 March 2022) - Received 13 April 2022

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 for the City of Manchester.

3) Prior to any commencement of the use/s hereby approved, confirmation shall be submitted to the City Council as Local Planning Authority that the approved fumes/vapours/odours extraction scheme/s as set out in the approved Ventilation Statement prepared by APL Mechanical Services and received the Council on 13 April 2022 have been implemented.

Reason: In the interests of the amenities of occupiers and users of nearby buildings and in accordance with Core Strategy policies SP1 and DM1.

4) Prior to any commencement of the use/s hereby approved, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommended noise levels and acoustic insulation requirements, relating to information as set out in Sections 6.3 and 6.5, as well as Tables 7, 8 and 9 of the Planning Noise Assessment report prepared by Hoare Lea (Reference REP-1013578-5A-AP-20220203-Planning Noise Assessment-Rev03 dated 24/03/22) - Received by the Council 13/04/22, in order to achieve and adhere to the acceptable noise limits relating to both the breakout of noise (including entertainment noise) and plant equipment noise. The report shall also undertake a suitable amount of post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the approved report shall be detailed along with the measures required to ensure compliance with the agreed noise criteria.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

Reason: To safeguard the amenity of the occupiers and users of nearby buildings and in accordance with Core Strategy policies SP1 and DM1 as well as saved Unitary Development Plan policy DC26.1

5) Prior to commencement of the use of the outdoor seating area/s hereby approved, an outdoor seating management strategy shall be produced and submitted to the City Council as Local Planning Authority for review and approval. The strategy shall include details of the general management, times of use, confirmation that there will be no amplified sound/music and a strategy for the management of litter/refuse and any anti-social behaviour by patrons.

Reason: To safeguard the amenity of the occupiers and users of nearby buildings and in accordance with Core Strategy policies SP1 and DM1 as well as saved Unitary Development Plan Policy DC10.

6) Prior to any commencement of the use/s hereby approved, the electric vehicle charging points must be implemented and made available for use. Confirmation that the electric charging points are operational and available for use must be submitted to the City Council as Local Planning Authority.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect the amenity of occupiers and users of nearby buildings and infrastructure from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

7) Prior to any commencement of the use/s hereby approved, the secure, covered, lockable cycle storage as indicated on approved plan 'Proposed Site Plan 343-02 Revision F' shall be provided and made available for use. Confirmation that the cycle storage is operational and available for use must be submitted to the City Council as Local Planning Authority.

Reason - To ensure there is sufficient cycle parking provision at the development and for the users/employees in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

8) Prior to any commencement of the use/s hereby approved, the measures identified in Tables 2.1, 2.2 and 2.3 of Appendix D of the submitted Transport Assessment (Reference 220330/SK22213/TS01(-01)) shall be fully implemented and completed. Upon completion, verification of the completed works shall be provided to the City Council as Local Planning Authority for review in conjunction with the Local Authority's Highway Services Department.

Reason - To ensure pedestrian safety and safe routes to and from the development hereby approved pursuant to Manchester Core Strategy policies SP1, DM1 and T1 and saved Unitary Development Plan Policy DC22.

9) Prior to any commencement of the use/s hereby approved, a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development and used to inform any future advertisement applications for the building.

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

10) The proposed external lighting demonstrated on approved plan 'Proposed Elevations (Drawing 343-402 Revision B dated March 2022)' shall not exceed luminance levels of 600cd/m² during day time hours and 300cd/m² during night time hours.

Reason: To safeguard the amenity of occupiers and users or nearby properties, in the interests of highway safety and in accordance with Core Strategy policies SP1, T1 and DM1.

11) During the construction phase of the application hereby approved, the submitted Construction Management Plan dated March 2022 shall be fully implemented and abided by at all times.

Reason: In the interests of the amenities of occupiers and users of nearby buildings, in the interests of highway safety and in accordance with Core Strategy policies SP1, T1 and DM1.

12) The premises shall not be open outside the following hours -

08:00-01:00 Monday - Sunday

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

13) The submitted Servicing and Waste Management Strategy (Reference 220330/SK22213/SS01(-01)) shall be implemented and remain in implementation for the lifespan of the development hereby approved.

Reason: To safeguard the amenity of the occupiers and users of nearby buildings and in accordance with Core Strategy policies SP1 and DM1 as well as saved Unitary Development Plan Policy DC10.

14) The development hereby permitted shall be carried out in accordance with the security measures as outline in section 4 of the Crime Impact Statement ref. 2022/0052/CIS/01 received by the City Council as Local Planning Authority.

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

15) The development hereby approved shall be carried out in accordance with the Interim Travel Plan prepared by SK Transport Planning (Reference 220330/SK22213/ITP01(-01)).

Within 3 months of the completion of the travel survey, a revised Travel Plan which takes into account the information about travel patterns gathered shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel and to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution. , pursuant to policies SP1, T2 and DM1 of the Core Strategy, the Guide to Development in Manchester SPD (2007) and Greater Manchester Air Quality action plan 2016.

16) The development hereby approved shall be carried out in full accordance with the recommendations and proposals as set out in Crowd Management Plan prepared by FGH Security.

Reason - To ensure a reduction in potential amenity impacts associated with crowds, the potential or perceived potential of crime and/or disorder, litter and noise breakout associated with the development and in accordance with Core Strategy policies SP1 and DM1.

17) Deliveries, servicing and collections associated with the management of the building and ancillary uses within it including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday
10:00 to 18:00 Sundays and Bank Holidays

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.

18) The development hereby approved shall include for full disabled access to be provided to all publicly accessible areas of public realm during the hours that it is open (including all areas of the outdoor seating area) to the general public and via the main entrances.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policies SP1, DM1 and CC10 and saved Unitary Development Plan policy DC10.

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.

Construction/demolition works shall be confined to the following hours

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

It should be ensured that any temporary traffic management arrangements are discussed and agreed with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004)

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Work that will impact on habitats where nesting birds may be present (for example demolition of a building or works to trees and other vegetation including undergrowth like bramble), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken.

In the event that protected species are found during the construction phase of the development hereby approved, construction must cease immediately and expert ecological advice must be sought.

All of the works required to achieve the new accesses / egresses, tactile paving, road resurfacing, highway vegetation clearance and associated TROs should be included as part of a S278 agreement or S184 to be funded by the applicant if and where required.

The street lighting surrounding the site should be reviewed and upgraded to current standards where required.

TfGM would suggest that a review of the existing parking restrictions surrounding the site is undertaken to determine whether further restrictions will be required and / or whether existing restrictions are adequate / require refreshing, to assist in improving the quality of public realm.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

For the avoidance of doubt Highways would not accept any servicing along the adopted highway. It is also requested the servicing takes place outside of the AM and PM peak network hours.

The applicant is advised that part of the application site is located within land that may be required to construct and/or operate Phase 2b of a high-speed rail line from Crewe to Manchester, known as High Speed Two. Powers to construct and operate High Speed Two are to be sought by promoting a hybrid Bill in Parliament in early 2022 and as a result the site may be compulsorily purchased. In addition, as the HS2 project is not yet at a detailed design stage the applicant is advised to closely follow ongoing progress of the HS2 programme. More information can be found at:

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.hs2.org.uk%2Fin-your-area%2Flocal-community-webpages%2Fwestern-leg%2F.%25E2%2580%259D&data=04%7C01%7Cplanning%40manchester.gov.uk%7Cc84dd8115d0a403479ac08d9d1220ab3%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C1%7C637770766410629262%7CUnknown%7CTWFPbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ij1haWwiLCJXVCi6Mn0%3D%7C3000≈data=teGsvEqwOMBxfkXnsEtMRYplhsV9EJ5hztRRrMDZ0UM%3D&reserved=0>

It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place.

It is requested that staff ensure visitors do not congregate on the adopted highway as this will impinge pedestrians, cyclist and vehicular movements.

Date: 31 May 2022

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

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.