

28 March 2025
L250328 SAV Cover Letter



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SUBMITTED VIA THE PLANNING PORTAL REF: PP - 13817233

Dear Sir or Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR THE PART DISCHARGE OF CONDITIONS 6, 9, 11, 12, 13, 20 AND 21 OF PLANNING
PERMISSION: 131318/JO/2021
GROUND & MEZZANINE FLOORS, BLOCK C, MANCHESTER GOODS YARD, WATER STREET,
MANCHESTER M3 3BE
PVM GOLF LTD**

Introduction

We write on behalf of our above client to apply to part discharge Conditions 6, 9, 11, 12, 13, 20 and 21 of Planning Permission: 131318/JO/2021. The application is required to enable Pitch, a leading indoor virtual golf operator, to occupy space at the Site.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), we enclose the following documents which comprise the application:

- This covering letter;
- The completed application forms;
- Acoustic Plan, prepared by AV4You Limited;
- Supporting Statement, prepared by Pitch; and
- The following drawings:
 - Ref: 355-PL-MF-02_(GA)_rev N – Mezzanine Floor General Arrangement Plan
 - Ref: 355-DE-MF-26A – Signage Details Illuminated Internal Signage
 - Ref: 355-DE-MF-26B – Signage Details Box Signage
 - Ref: 355-DE-MF-26C – Signage Details Banner Signage

The application has been submitted and the requisite application fee (£145) paid electronically via the Planning Portal (**PP-13817233**).

Relevant Planning History

On 14 December 2018, planning permission was granted for:

“Erection of two buildings comprising: 11 storey mixed use building (including ground and mezzanine) comprising workspace (Use Class B1), with retail uses at ground and mezzanine levels (Use Class A1/A2/A3/A4 and / or D2) and rooftop amenity spaces known as Manchester Goods Yard; and, a further 10 storey mixed use building (including ground) comprising workspace (Use Class B1) with

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retail uses at ground level (Use Class A1/A2/A3/A4 and / or D2) known as No.1 Grape Street, above two levels of basement parking for 391 cars and cycle storage, together with new public realm, landscaping, provision of external seating areas, access and other associated works." (App Ref: 121511/FO/2018) (the '**2018 Permission**').

The 2018 Permission was granted pursuant to 49 Conditions. Condition 2 required that the approved scheme was developed in accordance with the listed plans and documents.

On 31 August 2021, planning permission was granted for the variation of Condition 2 of the 2018 Permission, as amended, to reflect enclosing the terrace at level 9 and include additional and revised areas at ground and mezzanine floors with associated ground floor access changes on approved plans (App Ref: 131318/JO/2021) (the '**2021 Permission**').

The development of the Site has now been completed in accordance with the above permissions and is in the process of being occupied.

Conditions to be Discharged

This application seeks to part discharge a number of 'pre-commencement' conditions attached to the 2021 Permission, as identified in the table below.

Condition	Requirement
6	Full details of external seating areas
9	Full details showing provision of toilets, including those for disabled people, prior to the commencement of each Class A3 or Class A4 use
11	Signage design strategy prior to occupation
12	Confirmation of opening hours
13	Schedule of days and hours of operation of external areas
20	Acoustic instalment, and treatment of unit, to limit the break out of noise. Details
21	Details of externally mounted plant equipment – designed in line with acoustic levels set out in the condition

Condition 6 – External Seating Areas

As demonstrated on Drawing Ref: Ref: 355-PL-MF-02_(GA)_rev N – Mezzanine Floor General Arrangement Plan, the proposed occupier will not require external seating areas at the Site. It is therefore considered that Condition 6 can be discharged as there is no requirement for external seating

Condition 9 – Toilets

In accordance with the requirements of Condition 9, Drawing Ref: 355-PL-MF-02_(GA)_rev N – Mezzanine Floor General Arrangement Plan shows the internal fit out of the unit, including the location of the toilets at mezzanine level. The plan shows the provision of seven unisex toilets, with an additional DDA toilet, adjacent to the kitchen. There is also one additional DDA toilet located adjacent to the lifts/ stair core.

Condition 11 – Signage

The design strategy for signage associated with the unit is demonstrated on the following drawings:

- Ref: 355-DE-MF-26A – Signage Details Illuminated Internal Signage
- Ref: 355-DE-MF-26B – Signage Details Box Signage
- Ref: 355-DE-MF-26C – Signage Details Banner Signage

The plans meet the requirements of Condition 11, and it therefore follows that the condition can be formally discharged.

Condition 12 – Opening Hours

The condition requires that any units accommodating uses within the former Classes A1, A3 and A4 (now Class E) shall not be occupied unless and until the opening hours of such uses have been agreed in writing by the LPA.

The proposed occupier, Pitch, an indoor virtual golf experience, currently falls under *Sui Generis* use which does not correspond with the Uses above. It is therefore considered that condition 12 is not relevant to the proposal. Nevertheless, we can confirm that the occupier intends to operate between the hours of 10:00am to 01:00 am.

Condition 20 – Scheme of Acoustic Treatment

On 17 January 2025, the Council confirmed the part discharge of Condition 20 attached to the 2021 Permission in relation to Commercial Units 2 and 3 (*App Ref: CDN/24/1116*) (the '**2025 DoC**').

The 2025 DoC was supported by a Noise Breakout Assessment, Acoustic Verification Testing Note and Patron Noise Egress Assessment, prepared by Sandy Brown. The documents assessed the operational noise associated with the operation of Caravan which is located on the ground floor of Manchester Goods Yard, directly below the Site.

The Noise report produced by Sandy Brown for the Caravan unit concludes that on the basis that a sound limiter is installed to meet the amplified sound limits set out when windows are open and closed, the noise levels at the nearest noise sensitive premises are expected to comply with the noise egress limits set out for daytime and nighttime hours.

Further, customer noise associated with patrons has also been assessed in the Patron Noise Egress Assessment, dated 7 June 2024. The memo provides an assessment based on 90 patrons in the outdoor seating area, and also noise from patrons within the Caravan unit with the proposed retractable windows open. The technical evidence concluded that there will be no adverse impact on amenity as a result of Caravan's operation.

Due to the nature of activity associated with the proposed occupier, indoor virtual leisure use, it is considered that the Site would generate less noise impact than the neighbouring all-day dining experience, Caravan. A statement from the operator is submitted as part of the suite of documents for this application. The leisure-based use does not require externally amplified music with patrons typically remaining within the simulator area, the only noise of relevance is therefore internal amplified music. The internal music levels will align with, and not exceed, the levels considered in the Noise Assessment by Sandy Brown approved as part of the 2025 DoC.

In addition, the entrance to the Site is located on the eastern side of the building, and is furthest away from the residential uses to the west of the wider development. Notwithstanding this position, the virtual facilities will be designed with soundproofing materials and acoustic separation. On that basis, we consider that the noise impacts associated with the operations of the proposed tenant will not result in any adverse impacts on neighbouring amenity.

Based on the technical evidence submitted as part of the 2025 DoC, which subsequently permitted the formal discharge of Condition 20 in relation to Units 2 and 3, and are locationally similar to the Site. It follows that Condition 20 can be subsequently discharged for the ground and mezzanine floors of Block C.

Condition 21 – External Plant Equipment

Similar to Condition 6, we confirm that there will be no installed external plant equipment. On that basis, it is considered that Condition 21 can be discharged as there is no requirement for external seating.

Summary and Conclusion

This application seeks to discharge Conditions 6, 9, 11, 12, 13, 20 and 21 of Planning Permission: 131318/JO/2021.

The technical documents submitted as part of this application provide all the necessary information required by the Council to enable the formal discharge of the conditions so that the development can be commenced.

We will endeavour to contact you within the few days to ascertain the Council's timeframe for decision-making. In the meantime, should you require any clarification or additional information, please do not hesitate to contact Francesca Opoku-Gyamfi or Brad Wiseman at these offices.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Savills", written in a cursive style.

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