

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141136/FO/2024

Date registered valid: 3 October 2024

Proposal: Temporary Planning Permission for siting of events tipi within Sadler's Yard, with food and drink provision, for a temporary period of 53 days.

Address: New Century Hall, 34 Hanover Street, Manchester, M4 4AH

Ward(s): Piccadilly Ward

Applicant: Miss Lisa Bond New Century

Agent (if any):

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 07/11/2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 3 October 2024 Expired: 24 October 2024

Neighbour notifications

Printed: 3 October 2024 Expired: 24 October 2024

Site notice

Posted: 4 October 2024 Expired: 25 October 2024

Press advert

Published: 8 October 2024 Expired: 29 October 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to Sadler's Yard, a pedestrianised square bound by Hanover Street, New Century Hall, the Redfern Building and the Old Bank Building. Redfern Street and Mayes Street, former roads now pedestrianised, run through the application site. The public square features hard and soft landscaping measures consisting of shrubs, semi-mature trees, public benches and decorative paving.

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The neighbouring area constitutes that of NOMA, a regeneration scheme covering the land within the Co-operative Group's ownership, with much of the surrounding area to the south also lying within the Shudehill Conservation Area. Neighbouring built development around Sadler's Yard consists of a high number of Grade II listed buildings, including the Hanover Building, Old Bank Building, New Century House, Cooperative Society Building, Holyoake House, Redfern Building and CIS Tower. Neighbouring uses are comprised of a variety of commercial office and restaurant uses.

Description of development

The application seeks consent for the temporary erection of an events tipi with food and drinks provision for a period of 53 days, from 10/11/2024 till 02/01/2025.

The proposed tipi would consist of two peaks with a maximum height and width of 6.8m and 10.3m respectively. 2m wide walkways would then be located on all sides of the tipi to allow for through access. It has been confirmed there are to be no physical fixings or ties associated with the tipi that would need to be secured to permanent hard landscaping features or other structures.

Internally the tipi would accommodate a bar, performing stage and seating. 2no pergolas would then be situated to the north of the main tipi structure and would house food retailers. A separate freestanding WC would then be situated to the north-west of the aforementioned pergolas.

The supporting information for the proposal confirms the site would have a maximum capacity of 160no persons, 120no internally within the tipi and 40no externally under the proposed pergolas.

The proposed opening hours would be from 9am till 11pm. Servicing and waste arrangements would utilise pre-existing arrangements with New Century.

The proposed tipi is designed to increase awareness of Sadler's Yard and the event space will be done in collaboration with MTV in association with Manchester hosting the MTV EMA (European Music Awards) for the first time.

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

114852/JO/2016 - Variation of conditions 5, 6 and 11 attached to application ref no 105522/FO/2014/C2 to allow for phased delivery – Approved January 2017.

107890/JO/2015/C2 - Remove of part (e) (which requires submission of 'details of directional signage' pre-commencement) from Condition 15 attached to application ref no 105522 (Public realm works) and creation of a further separate condition to allow this to be agreed 'Before areas of public realm hereby approved are first brought into use' – Approved March 2015.

105522/FO/2014/C2 - Public realm works including creation of new public open space with hard and soft landscaping and street furniture, external alterations to New Century Hall and House to create pedestrian connection between Miller Street and Balloon Street, soft landscaping to Miller Street, alterations to external appearance of adjacent buildings including making good following lowering of adjacent pavement level (and including introduction of new stepped access to Redfern Building), resurfacing works to Hanover Street, Dantzic Street and Federation Street, resurfacing of footway along Balloon Street, change of use of lower ground floor of New Century Hall and House to Class A1 (Shop) use or Class A3 (Restaurant and Café) Use and installation of new shop fronts, servicing doors and louvres, works associated with closure of part of Dantzic Street at junction with Miller Street to all traffic except servicing vehicles and drop-off access and ancillary works associated with the above – Approved June 2014.

Consultations & Notification Responses

Environmental Health – No objection subject to conditions relating to fume extraction, acoustics, opening hours, plant equipment and the temporary period of time consent is granted for.

Flood Risk – No objection.

Highways – No objection subject to conditions relating to the submission of a construction management plan and operational management plan.

Greater Manchester Police – No objection received.

Network Rail – No objection.

Transport for Greater Manchester – No objection.

Publicity – A site and press notice were published, as well as notification letters to neighbouring properties. No representations were received

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC3 – The Regional Centre
- Policy CC1 – Primary Economic Development Focus: City Centre and Fringe
- Policy CC4 – Visitors – Tourism, Culture and Leisure
- Policy CC9 – Design and Heritage
- Policy C10 – Leisure and the Evening Economy
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy EN14 – Flood Risk
- Policy DM1 – Development Management

Saved Unitary Development Plan for Manchester – The following saved UDP Policies are of relevance to this application:

- Policy DC10 – Food and Drink uses
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings
- Policy DC26 – Development and Noise

The Places for Everyone Plan – Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat2 – City Centre
- Policy JP-P2 – Heritage

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 16 – Conserving the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy for Waste

Issues

Principle of the Development

The proposal would see the creation of a temporary events space within Sadler's Yard, an open piece of public realm that is a key part of the placemaking within the Noma Estate, for a period of 53 days. The events space would be in the form of a tipi and provides an opportunity as a temporary 'pop up' to increase the profile of Sadler's Yard and NOMA, and in terms of placemaking would support the ongoing regeneration of the Noma estate by driving footfall to the area. The events space would be coordinated in collaboration with MTV as Manchester is due to host the MTV EMAs for the first time, this thereby giving opportunity to put on a unique offering to coincide with said awards event. It is recognised that whilst Sadler's Yard and NOMA has experienced substantive regeneration efforts, that there are still multiple unoccupied commercial units. Clearly there is still requirement to drive footfall to and awareness of this new destination within the City. Whilst it is essential to the wider functionality of the Noma Estate that this key public space is retained in its current form in the long term, in light of the above, it is considered that on a temporary basis the proposal would support the ongoing regeneration of the Noma estate by raising its profile as a leisure destination as well as would benefiting Manchester's leisure and tourist economy. The proposal therefore accords with Core Strategy Policy SP1, EC3, CC1, CC4 and C10, and Places for Everyone Plan Policy JP-Strat2, subject to the matters discussed below.

Visual Amenity

Sadler's Yard as existing is a well designed and landscaped piece of public realm that contributes positively to the neighbouring street scene, as well as the neighbouring Shudehill Conservation Area, across Hanover Street. The proposal would see a tipi structure that would encompass the majority of the yard and thus diminish its contribution to the local street scene. Notwithstanding this, the proposed tipi is a temporary structure that would only be on site for a period no longer than two months and would on that basis support wider placemaking and activation in this part of the Noma Estate. In the event of an approval a condition will be attached requiring evidence to be submitted that the site has been returned to its current condition in order to ensure that there is no permanent alteration to its appearance. On this basis the proposal would cause no permanent harm to the appearance of the neighbouring street scene or Sadler's Yard and is thus acceptable in this regard, all in accordance with Core Strategy Policies EN1 and DM1, and the National Planning Policy Framework.

Heritage

The application site lies adjacent to the Shudehill Conservation Area and multiple Grade II listed buildings. Similarly to the above, Sadler's Yard as existing contributes positively to the setting of neighbouring heritage assets by virtue of being a well designed piece of public realm. This contribution would be somewhat lessened for the duration the tipi is on site due to it concealing the majority of the yard and lessening the sense of openness it creates. Notwithstanding this however, the proposed tipi is a temporary structure and it is considered that on this basis the public benefits outlined above would outweigh that temporary harm to the setting of the conservation area and adjacent listed buildings.

On this basis the proposal would, based on its temporary nature, have a neutral impact on local heritage assets in accordance with Core Strategy Policies SP1, CC9, C10, EN3 and DM1, Saved Unitary Development Plan Policies DC18 and DC19, Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

The application site lies within an area heavily dominated by properties in commercial use, with neighbouring uses including a drinking establishment at Sadler's Cat and a music venue at New

Century Hall, both the immediate west and north of the application site. The proposal has been accompanied by a Noise Impact Assessment, as well as Dispersal Policy and operational management details. Environmental Health have assessed the development and do not object to the proposals on a temporary basis subject to conditions relating to fume extraction, acoustics, opening hours, plant equipment. Notwithstanding the submission of a Noise Impact Assessment, Environmental Health have noted that further information relating to noise limiters must be provided, as such, an amended assessment will be required to be submitted prior to the occupation of the development. Additionally, any consent issued will be for a maximum period of 53 days.

Subject to such conditions, the development is acceptable in this regard and would not cause an unacceptable impact on neighbouring amenity in accordance with Core Strategy Policy DM1, Saved Unitary Development Plan Policies DC10 and DC26, and the National Planning Policy Framework.

Flood Risk

The application site is located in Flood Zone 1 where the risk of flooding is low. The Lead Local Flood Authority have reviewed the proposal and have no objection. The amount of hard standing and permeable ground will not be altered on site. In light of this it is considered the proposal is acceptable in this regard and is therefore in accordance with Core Strategy Policies EN14 and DM1 and the National Planning Policy Framework.

Highway Safety

The application site, as previously mentioned forms a pedestrianised square, which is accessed from Hanover Street and Miller Street. The proposed tipi and associated structures would not encroach onto the public highway and walkways of a minimum width of 2m would surround the tipi to allow for through access. Highways have assessed the proposal and do not object to it subject to conditions relating to the conditioning of the submitted operational management plan and the submission of a construction management plan. The applicant during negotiation provided a construction management plan that confirms that the structure would be assembled on site with no impact on the adjacent highway, over the course of two days. Subject to the conditioning of the proposed operational management plan measures, as well as that of the construction management plan, the proposal is acceptable in this regard and therefore accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Waste Management

The proposed events space would see both food and drink provision on site. Servicing, deliveries and waste management would all take place through New Century's existing drop off/collection points and waste store, which all have capacity to accommodate the increase in load associated with the operation of the tipi. Environmental Health do not object to this arrangement. Subject to a condition that would require the development to dispose and collect waste and recycling in accordance with the submitted Planning Statement and Waste Proforma, the application is acceptable in this regard and accords with Core Strategy Policy DM1 and the National Planning Policy for Waste.

Conclusion

In light of the above, subject to appropriate planning condition, the proposal is acceptable on a temporary basis and on that basis would accord with Core Strategy Policies SP1, EC3, CC1, CC4, CC9, C10, EN1, EN3, EN14 and DM1, Saved Unitary Development Plan Policies DC10, DC18, DC19 and DC26, Places for Everyone Plan Policy JP-Start2 and JP-P2, the Planning

(Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy for Waste and the National Planning Policy Framework. The application is therefore recommended for approval.

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 policies 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 in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The permission hereby granted is for a limited period only, expiring on 2nd January 2025; and the use comprising the development for which permission is hereby temporarily granted is required to be discontinued on the date of expiry. The site shall be made good within one month of the temporary permission expiring.

Reason - The use hereby approved is of a temporary nature, in order to allow the preparation of the a more balanced interim use strategy that would support the proper planning and

regeneration of the area and to allow the City Council the opportunity to reconsider the appropriateness of this use and its impact of the use on policies aimed at reducing reliance on travel by private car the consequences of which have not been considered beyond the 30th May 2023 pursuant to Core Strategy Policies SP1, CC1, CC4, EN1 and DM1

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

- o Location Plan
- o Proposed 3D Visuals
- o 2300-F00-001 Rev B: Yard Layout
- o Proposed Floor Plan
- o Covering Letter (Prepared by New Century; Dated 01/10/2024)
- o Design & Access Statement (Prepared by New Century; Dated October 2024)
- o New Century Christmas Tipi Overview (Prepared by New Century; Dated July 2024)
- o Dispersal Policy (Prepared by New Century)
- o Planning Statement (Prepared by New Century; Dated October 2024)
- o Tipi Method Statement & Risks Assessment (Prepared by All About Me)
- o Waste Management Strategy Proforma
- o Construction Management Plan (Prepared by New Century; Received 23/10/2024)
- o Noise Impact Assessment (Reference 31800/NIA; Prepared by Hann Tucker; Received 23/10/2024)

All stamped as received by the City Council as Local Planning Authority on 01/10/2024, unless specified otherwise.

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) a) Notwithstanding the approved Noise Impact Assessment (Prepared by Hann Tucker; Received 23/10/2024), the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences.

The specific noise criteria not to be exceeded are set out in Section 8.1 and 8.2 of the Hann Tucker Noise Impact Assessment.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic 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 agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policy DC10.

4) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction

in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by 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 report. The report shall also undertake post completion testing to confirm that the noise 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 agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policy DC10.

5) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

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.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - To safeguard the amenities of the occupiers of nearby accommodation, pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policy DC10.

6) The premises (including the external areas) shall not be open to the public outside the following hours:

o Monday - Sunday (Including Bank Holidays): 09:00 - 23:00

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.

7) The construction phase of the development hereby approved shall proceed in accordance with the Construction Management Plan prepared by New Century (Received 23/10/2024) & the Tipi Method Statement & Risk Assessments prepared by All About Me (Received 01/10/2024) and shall be adhered to at all times for said phase of development.

Reason - To safeguard the amenities of the occupiers of nearby accommodation and ensure there is no unacceptable impact on the local highway network, pursuant to Core Strategy Policies DM1 and SP1 and saved UDP policies DC26.1 and 26.5.

8) The development hereby approved shall operate in accordance with the submitted Dispersal Policy (Prepared by New Century; Received 01/10/2024) and shall be adhered to at all times for the lifetime of the development.

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.

9) The development hereby approved shall store and collect its waste and recycling in accordance with the submitted Planning Statement (Prepared by New Century) and Waste Proforma, both received 01/10/2024.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Transport For Greater Manchester
Network Rail

Federation House, 2 Federation Street, Manchester, M4 4BF
Third Floor, Holyoake House, Hanover Street, Manchester, M60 0AS
Fourth Floor, Dantzic Building, 29 Dantzic Street, Manchester, M4 2AL
Ground Floor, Holyoake House, Hanover Street, Manchester, M60 0AS
Hanover Building, 130 Corporation Street, Manchester, M4 4GW
CIS Building, Miller Street, Manchester, M60 0AL
Old Bank Building, Hanover Street, Manchester, M4 4AH
Second Floor, Holyoake House, Hanover Street, Manchester, M60 0AS
Basement, Holyoake House, Hanover Street, Manchester, M60 0AS
Fifth Floor, New Century House, Corporation Street, Manchester, M60 4ES
Sadlers Cat, 40 Hanover Street, Manchester, M4 4AH
Dantzic Building, 29 Dantzic Street, Manchester, M4 2AL
Holyoake House, Hanover Street, Manchester, M4 4AH
New Century House, Corporation Street, Manchester, M4 4GY
Redfern Building, 30 Hanover Street, Manchester, M4 4AH

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL