

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

Broadwick Venues Limited
11 Baring Street
The Gatehouse
Manchester
M1 2PY

Agent (if used)

Mr Michael Percival
Deloitte LLP
Floor 2 Hanover Building
Corporation Street
Manchester
M4 3AN

Part 1 – Particulars of the application/development

Proposal: Temporary change of use for a 5 year period from Use Class B8 to Sui Generis comprising theatre, music, dance, performance-related activity spaces, sports facilities, cinema and conferencing , food and drink operators , art exhibitions and markets marketing suites and offices and Dark kitchen within Arch 7 only, with servicing, access and associated works (ground floor) and for use as a cinema, theatre event space and ancillary leisure uses, outdoor and indoor sports facilities, with supporting food and beverage offers in addition to the installation and alterations to temporary structures, access and associated works (Rooftop platform area of Depot Building)

Location: 11 Baring Street, Manchester, M1 2PY

Date of application: 10 April 2024

Application number: 139760/FO/2024

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 permission hereby granted is for a limited period of 5 years expiring on 15th August 2029 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 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, CC4, CC7, CC10 and DM1 and saved UDP Policies DC10 and DC26

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

(a) Depot Mayfield Red Line Plan stamped as received on 10-04-24;

(b) Dwgs Mayfield Depot - Level 1 Area A and Area C layouts plan stamped as received on 20/07/24, Depot Mayfield Platform Layout Version 1, PARKSIDE ELEVATION-2 and TRAVIS ST ELEVATION all stamped as received on 10-04-24;

(c) Updated ecological surveys revised report 05-03-24 by Buro Happold stamped as received on 10-04-24;

(d) Broadwick Venues Limited Depot Mayfield 2024 Travel Management Plan stamped as received on 13-06-24;

(e) EVENT MANAGEMENT STRATEGY DEPOT MAYFIELD stamped as received on 10-04-24 ;

(f) Noise Impact Assessment by Three Spires, dated 19/1/24, (Rv 4 updated 4/6/24). S5 -Noise Compliance Log, S6.1 - Sound Monitoring (for WHP and larger events) S6.2 Community Engagement/Active Complaint Monitoring, S6.3 Patron noise / marshalling); and

(e) Out of hours waste collections document stamped as received on 12 08 24

Reason - Pursuant to the City of Manchester Core Strategy Policies SP1, CC1, CC7, CC9, EN3, and DM1 and saved Unitary Development Plan policies DC10, DC19 and DC26.

3) The consent hereby granted is for the use of the ground floor for uses comprising theatre, music, dance, performance-related activity spaces, sports facilities, cinema and conferencing , food and drink operators, art exhibitions and markets, marketing suites and offices and within Arch 7 only, a Dark kitchen 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 and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

4) The consent hereby granted is for the use of the Rooftop platform area of Depot Building for a cinema, theatre, event space and ancillary leisure uses, outdoor and indoor sports facilities, with supporting food and beverage offer (Sui Generis).

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 and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

5) The development hereby approved shall not operate outside the following hours:

Mayfield Depot 08:00 to 05:00 hours

Platform

Area A (Cinema and bar) as per 134588/FO/2022

Monday - Thursday 14:00 - 00:30

Friday and Saturday 10:00 - 02:30

Sunday 10:00 - 22:30

Area B (as per CDN/23/0273)

09:00 to 23:15 Mon to Sun

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

07.30 to 20.00, Monday to Saturday, and
10.00 to 18.00 Sunday / Bank Holidays

with the exception of waste collection as specified within the Out of hours waste collections document stamped as received on 12 08 24

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Core Strategy Policy DM1

7) Within 3 months of the date of this consent or prior to commencement of use (whichever is the earlier) of each of the following areas for any activities where cooking is involved:

(a) the Depot Area and Arches 7-10 for all approved uses excluding the Dark Kitchen within Arch 7;

(b) the use of the Platform ; and

(c) the use of Arch 7 as a Dark Kitchen

Final details of the method of extraction of any fumes, vapours and odours shall be submitted to and approved in writing by the City Council as local planning authority prior to commencement of those uses. The details of the approved scheme shall be implemented prior to commencement of any cooking associated with each of the above and shall remain in situ whilst the use or development is in operation.

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (withdrawn but still available via an internet search). It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B) or other relevant guidance or documents which superseded this guidance. Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy

8) The development hereby approved shall be carried out in accordance with the Broadwick Venues Limited waste Management Strategy for; - Depot Mayfield Level 0 (including Archive and Freight); Depot Mayfield Level 1 (including the Platform / Roof); - Arches 5,6,7

Version 1.7 11.07.24

The details shall be implemented prior to the first use of the development and thereafter retained and maintained in situ.

The approved details shall be implemented and remain in place for as long as the approved uses are in operation.

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.

9) The approved uses shall be operated in accordance with the following:

EVENT MANAGEMENT STRATEGY DEPOT MAYFIELD stamped as received on 10-11-24 and the following sections of the Noise Impact Assessment by Three Spires, dated 19/1/24, (Rv 4 updated 4/6/24). S5 -Noise Compliance Log, S6.1 - Sound Monitoring (for WHP and larger events) S6.2 Community Engagement/Active Complaint Monitoring, S6.3 Patron noise / marshalling

The approved details shall be implemented and remain in place for as long as the approved uses are in operation

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.

10) Accessibility arrangements shall continue to operate in accordance with the Broadwick Depot Mayfield Lift Access to Level 1 Version 1.1 July 2024 and shall remain in place as long as the approved use of the Level 01 platform is in operation for the approved uses

Reason

For the avoidance of doubt and to promote inclusive access as part of the proposals pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to reflect the guidance contained in the revised National Planning Policy Framework (2019).

11) External Plant associated with the temporary event space structure as shown in the Mayfield Depot - Level 1 Area A and Area C layouts plan stamped as received on 20/07/24, shall operate in Noise Impact Assessment by Three Spires, dated 19/1/24, (Rv 4 updated 4/6/24), Section 7.9

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

12) Within 3 months of the date of this consent or prior to commencement of use (whichever is the earliest) of any plant associated with each of the following areas:

(a) the Depot Area and Arches 7-10 for all approved uses excluding the Dark Kitchen within Arch 7;

(b) the use of the Platform excluding the temporary event space structure as shown in the Mayfield Depot - Level 1 Area A and Area C layouts plan stamped as received on 20/07/24

(c) the use of Arch 7 as a Dark Kitchen

A scheme for the acoustic insulation of any plant including externally mounted ancillary equipment associated with the development to ensure that it achieves a background noise level of 5dB below the existing background (La90) at the nearest noise sensitive location 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 equipment.

The approved scheme shall be completed within 2 months of the approval of any plant which is already in place or before the use with which it is associated commences, whichever is the earliest and a verification report submitted for approval by the City Council as local planning authority and any non compliance suitably mitigated in accordance with an agreed timescale.

The approved scheme shall remain operational thereafter.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

13) Prior to commencement of any use of Arch 7 as a Dark Kitchen details of the provision on internal cycle parking spaces and moped parking area shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

14) The development shall be operated in accordance with the Broadwick Venues Limited Depot Mayfield 2024 Travel Management Plan stamped as received on 13-06-24 and shall continue to be in operation for as long as the approved used are operational

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

15) Prior to the commencement of any Category A events as defined within the EVENT MANAGEMENT STRATEGY DEPOT MAYFIELD stamped as received on 10-04-24 details of an egress management plan shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

16) The development shall be operated in accordance with the following:

Area A Platform as shown in Dwg MAY-K002 RO stamped as received on 17-01-23 shall operate in accordance with the noise limits set out in section 6 of the Noise Survey and Noise Impact Assessment Mayfield Depot Cinema R01C Client: Broadwick Live Dated: 5/12/2022 by DbX Acoustics.

Depot Mayfield Platform Area B , 11 Baring Street Manchester ,M1 2PY , Noise Impact Assessment , For: Engine No4 24/03/2023 and the Depot Mayfield Platform Area B - Noise Management Compliance Report 16/06/2023 both by by Three Spires Acoustics Ltd

Mayfield Depot (Main stage (Stage 1 and Stage 2/ (Depot and Concourse)-Three Spires Acoustics Event Noise Management Report 08/10/2019; and Three Spires Acoustics MAYFIELD DEPOT - VENUE SOUND TEST 20/12/2021

Reason - To safeguard the amenities of the neighbouring occupiers, pursuant to policies SP1 and DM1 of the City of Manchester Core Strategy (2012) and saved policy DC26 of the Manchester Unitary Development Plan (1995)

17) Notwithstanding the Noise Impact Assessment by Three Spires, dated 19/1/24, (Rv 4 updated 4/6/24 in relation to the following elements of the development :

(a) Freight Island Area(internal); and

(b) Mayfield Depot (Main stage (Stage 3)/ Arch 10 as defined within the Mayfield Red Line Plan 24/02/24

within 3 months of this consent a further Report shall be submitted to demonstrate that the cumulative noise impacts with the uses set out within condition 9 would not exceed the noise limits specified in the Noise Impact Assessment by Three Spires, dated 19/1/24, (Rv 4 updated 4/6/24) if this is the case additional mitigation will need to be specified within that report.

Should additional mitigation be required prior to the use of this area commencing a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

18) Prior to commencement of the use of each of the following:

Arches (a) 5, (b)6, (d)8 and (e) 9 and (f) the Station Building - café, a scheme details of how it will be acoustically insulated and treated to limit the break out of noise to include consideration of cumulative impacts with other uses approved under this consent shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include a noise study of the premises and a scheme of acoustic treatment.

The approved noise insulation scheme shall be completed before any of the approved uses commence.

Prior to the use of each of the above commencing a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in adjacent residential accommodation arising directly from the proposed development and on a cumulative basis with other uses approved under this consent shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

Reason - To secure a reduction in noise in order to protect future residents from noise nuisance, pursuant to policies SP1 and DM1 of the Core Strategy and saved UDP Policy DC26.

19) The development shall be carried out and operate in accordance with the mitigation set out within Section 3 of the Updated Ecological Surveys Technical Note Buro Happold ref. 0060098

Reason: The use of these area has the potential to cause harm to bats as identified in the Updated Ecological Surveys Technical Note Buro Happold ref. 0060098 and in the interests of the protection of bat roosts and associated foraging and commuting areas pursuant Section 15 of the National Planning Policy Framework and pursuant to Core Strategy policies EN15 and SP1

Informatives

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:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

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 is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Date: 15 August 2024

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.

Appendix A



The Coal Authority

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024