

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139827/FO/2024
Date registered valid: 14 May 2024
Proposal: Temporary erection of seven units for retail and hospitality (Use Classes Ea, Eb, sui generis (p)) for a period of five years
Address: Land At Grape Street, Manchester, M3 3GS
Ward(s): Deansgate Ward

Applicant: R Lancaster Allied London
Agent (if any): Mrs Deborah Baker Barnett Zerum
Case officer: Angela
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Recommendation: Temporary Approval for 3 years
Date of recommendation: 05-07-24

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 22 May 2024

Standard consultations:

Printed: 15 May 2024 Expired: 6 June 2024

Neighbour notifications

Printed: 15 May 2024 Expired: 6 June 2024

Site notice

Posted: 22 May 2024 Expired: 13 June 2024

Press advert

Published: 21 May 2024 Expired: 4 June 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order: Not applicable

The application site relates to 2 areas contained within land along the northern side of a wide footway known as Grape Street. The site is located north of the Grade II Listed Bonded Warehouse, Stables and south of Studio Way. The eastern boundary is with the recently completed Aviva Studios. The land is not adopted highway and is in private ownership. The site lies within an Area of the City Centre known as St Johns an emerging new neighbourhood within the wider Castlefield neighbourhood. Grape Street is emerging as a significant route within the St John's estate, connecting Lower Byrom Street to Bonded Warehouse and Aviva Studios.

The site lies within the Castlefield Conservation Area.

The site is in a highly accessible, city centre location. Deansgate Station is 650m away, providing heavy and light rail options across Greater Manchester and beyond. The Metroshuttle bus service provides free travel around the city centre, with destinations including the bus stations at Piccadilly Gardens and Shudehill, and the city centre railway stations.

Description of area

Castlefield contains a mix of used including leisure and tourism attractions such as Museum of Science and Industry (MSI) and residential accommodation including a number of conversions of historic warehouses to residential use.

The emerging St John's neighbourhood is built around promotion of enterprise, culture and living. The regeneration of the area is currently an ongoing process and construction works are currently continuing across the neighbourhood to deliver the vision set out within the St Johns Strategic Regeneration Framework. The area now includes the city's landmark cultural venue, Aviva Studios, also known as Factory International. Other recent completed developments include Manchester Goods Yard and Globe and Simpson which provide high quality office space and ground floor commercial units. Development is progressing to convert the Old Granada Studios building into a cultural destination with a hotel, residential apartments, workspaces, event spaces, production and recording studios, and a mix of bars, cafes and restaurants.

Adjacent to the south of the site is the Bonded Warehouse, which has been converted into workspaces for small to medium sized businesses, including retail and event spaces.

Beyond, the St John's area there are offices to either side of Quay Street, and beyond, the offices of Spinningfields.

To the south is SIM beyond which are the leisure and residential uses of Castlefield. Beyond Lower Byrom Street to the east are residential dwellings and St John's Gardens, a pocket park.

Description of development

The application seeks full planning consent for the temporary installation of 7 'container' units for retail and hospitality uses and supporting WC and storage, with outdoor seating and landscaping

at Grape Street for a period of five years. Consent is also sought for an associated bin store also to be within a 'container'.

The 7 units would comprise a mix of approx. 6m by 12 m high cube units. The units are modular in nature and can be clad in any type of material. The containers would be free-standing, mounted on jack pads to level out and in keeping with their temporary nature do not require foundations. There would also be associated fabric canopies, seating and festoon lighting.

Natural light and ventilation would be provided through glazed doors and windows. In some units, these will act as serving hatches. One cantilevered unit and one vertical upstanding unit are proposed to form place-making bookends. These limited taller elements are included to create visual interest and pockets of sheltered space to be used for seating. The upper container of the cantilevered unit would not be a space that can be accessed. Each of the 6 units used for retail and hospitality will have space for outside seating and planting. The seventh unit would provide storage and WCs. A separate bin store container is proposed at the end of Grape Street, close to Atherton Street. This location has been chosen to facilitate easy access for service vehicles.

The units would be arranged in two clusters. Location A to the west will comprise four units and overlook the Goods Yard building and surrounding walkways. To the eastern end, a further three units would be positioned against the façade of the Old Granada Studios.

The units would deliver a mix of retail and hospitality uses in use classes E(a) retail sales (Unit 5 only), E(b) food and drink, and Sui Generis (p) drinking establishments.

The proposed opening hours as per the submitted Operating Strategy are from 07.00 to 23.00 Monday to Friday, 08.00 to 23.00 Saturday (with no alcohol to be sold for the first three hours of trading) and 09.00 to 23.00 Sunday.

The nature of the units means that they need to sit on a concrete pad and consequently stepped access is required to the majority of units. The majority of the units are for food and beverage use, with customers to be served via the hatch and to make use of the external seating. The experience of the non-ambulant would therefore not be different to other users of those units. A ramp is proposed for the unit which could be used for Class E(a) (Unit 5) which will be predominantly experienced from inside.

Existing services within would be extended for drainage.

Waste receptacles will be provided for customers and emptied regularly by staff. Roadside collection will be arranged by the management. Bins will be taken to the roadside collection point a short time before pick-up, and vehicles will access the site via Atherton Street.

An Operational Management Strategy submitted with the application covers hours of use, staffing, noise management, the management of outdoor seating and storage out of hours and dispersal. All external furniture would either be stored within the unit or secured externally overnight.

Consultations & Notification Responses

Publicity – The application was advertised as a public interest development and as affecting the setting of a listed building. Site notices were displayed adjacent to the site and the occupiers of neighbouring properties were notified about the application. No Representations have been received.

Head of Highways – No objections subject to conditions relating to servicing management and construction management .

Environmental Health – No objections subject to conditions relating to hours of operation, noise management (including any plant), refuse storage and disposal and fume extraction.

United Utilities – Have recommended a condition relating to drainage and use of the drainage hierarchy to determine the most sustainable solution for the site.

Greater Manchester Police –No comments received.
Issues

National Planning Policy Framework – The following Policies are of relevance to this application:

Section 1 - Building a strong and competitive economy- which is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future and places significant weight on the need to support economic growth through the planning system.

Section 2 Ensuring the Vitality of Town Centres, - which promotes competitive town centre environments.

Section 12 Requiring Good Design - which seeks the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes and aims to ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 16 Conserving and enhancing the historic environment – which states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness. And that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to sustainable harm, total loss or less than substantial harm to its significance.

In terms of the NPPF the following should also be noted:

Paragraph 195 – Requires that heritage assets are conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 201 - LPAs should ensure that any conflict between the heritage asset's conservation and any aspect of the proposal is avoided or minimised.

Paragraph 203 - In determining applications, LPA's should take account of, the desirability of sustaining and enhancing the significance of heritage assets.

Paragraph 205 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 206 - Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Paragraph 208 - Proposals of less than substantial harm to the significance of a designated heritage asset should be weighed against the wider public benefits of the proposal.

Paragraph 212 - Local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance.

Core Strategy - The following policies are considered to be most relevant to the proposed development:

Policy CC1 (Primary Economic Development Focus: City Centre and Fringe) –which identifies that City Centre as a strategic economic location and focus of employment growth encouraging a variety of high quality accommodation types, sizes and foot-plates to boost investment by local, national and international businesses and supports the provision of a range of economic development uses, such as retail, leisure, entertainment, cultural and tourism facilities within the City Centre to support the development of a vibrant employment location attractive to businesses, employees and visitors to the City Centre.

Policy SP1 (Spatial Principles)- which guides the strategic development of Manchester identifying the Regional Centre as the focus for economic and commercial development, leisure and cultural activity, alongside high quality city living. It states that all development within the City Centre regeneration area should have regard to the character and issues as identified in the Manchester City Centre Strategic Plan and outlines the following core development principles: Development should:- Make a positive contribution to neighbourhoods of choice including:- • creating well designed places that enhance or create character; • making a positive contribution to the health, safety and wellbeing of residents; • considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income; • protect and enhance the built and natural environment; • minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible; • Improve access to jobs, services, education and open space by being located to reduce the need to travel; and Provide good access to sustainable transport provision

Policy DM1 (Development Management) – Which states that all development should have regard to a number of specific issues the following of which are relevant to this application and for which more detailed guidance may be given within a supplementary planning document:- • Impact on the surrounding areas in terms of the design, scale and appearance of the proposed

development. • Development should have regard to the character of the surrounding area. • Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise. • Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes. • Community safety and crime prevention. • Design for health. • Refuse storage and collection. • Vehicular access and car parking.

Policy CC7 Mixed Use Development - identifies the City Centre as presenting the most viable opportunities for mixed-use development, and states that active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a mixed-use development which will create such an environment.

Policy T2 (Accessible Areas of opportunity and need)- which states that the Council will actively manage the pattern of development to ensure that new development is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport.

Policy CC9 (Design and Heritage) - which states that the design of new buildings will need to be of the highest standard in terms of appearance and function and seeks to preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

Policy EN 3 Heritage – which states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

The Unitary Development Plan for Manchester – Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

DC10 'Food and Drink Uses' - which supports the provision of developments involving the sale of food or drink within the City Centre provided that they would not have a detrimental impact on the amenity of neighbouring residents.

DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity

DC26.1 Development and Noise - which details how the development control process will be used to reduce the impact of noise on people living and working in the City and states that this will include consideration of the impact that development proposals which are likely to be generators of noise will have on amenity.

DC26.5 Development and Noise – which states that the Council will control noise levels by requiring where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

Other Material Considerations

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, which provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Policy JP-P 1 (Sustainable Places) aims for the city region to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-Strat1: Core Growth Area -aims protect and enhance the economic role of the Core Growth Area, with sustainable development supporting major growth in the number of jobs provided across the area providing opportunities to create jobs for local communities, complementary to, but not at the expense of, its economic function.

Policy JP-J1: Supporting Long-Term Economic Growth – promotes a thriving, inclusive and productive economy will be sought in all boroughs.

Policy JP-P 2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this

instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Principle of the Use / Regeneration:

Regeneration is an important planning consideration. Due to the ongoing construction work and as some commercial units within completed developments are still seeking to secure tenants, the area feels somewhat disjointed, with pockets lacking in the level of activity and footfall to be expected in a mixed use neighbourhood. This is particularly the case when approaching from Studio Way / Goods Yard Street. There is also consequently a lack of convenient daytime facilities within the area site to cater to the new influx of workers and those passing through, such as coffee vendors or sandwich shops. Therefore, the active use of the site in the interim will play a key role in raising the profile of this area of the City, creating interest in the site and positively promoting the site and wider area ahead the completion of ongoing redevelopment.

Notwithstanding the above whilst of an acceptable design on a temporary basis the structures would not be considered to be of an appropriate design quality for the St John's Street neighbourhood on a long term basis and this is discussed in more detail below.

The proposed uses would be complementary to the existing and emerging uses in the area, providing an additional facility for local residents and businesses bringing economic, social and environmental benefits and contribute to the regeneration aspirations of the wider area.

Consent has been sought for a temporary 5 years period however given the advanced stage of regeneration within this neighbourhood it is considered that this period would not be appropriately temporary. 5 years is a significant period for something to be considered temporary and with the issues with disabled access outlined below a temporary consent for 3 years is considered to be appropriate.

Subject to appropriate control of in terms of the hours of operation and the need to deal satisfactorily with noise, fumes, smells and storage and disposal of refuse. In view of the above it is considered that the proposal has the potential to add to the area's vibrancy and contribute to the character of the emerging St John's Area. The proposals are therefore considered to be in accordance with Core Strategy policies CC1, SP1, CC7, T2 and DM1 and saves UDP policies DC10.1, 10.2 10.3 and 10.4, and DC26.

Visual Impact and Impact on Setting of Listed Buildings– It is considered that the industrial appearance of the units would be in keeping with the temporary 'pop up' nature of the proposals. The installations are considered on a temporary basis to be in-keeping with the mixed-grain character of the area and new developments and regeneration initiatives that have taken place in recent years whilst also having a distinct aesthetic to make them more of a visible placemaking feature.

Impact on the setting of nearby listed buildings would be minor. Given the temporary nature of the proposals and the public benefits in terms of driving more footfall to increase activity in the area whilst under construction developments complete it is felt on balance that these impacts are acceptable.

In view of the above the proposals are considered to be acceptable would be consistent with Core Strategy Policies DM1, SP1, EN3 and CC9 and retained UDP policy DC19.1

It is considered, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings as required by virtue of S66 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraphs and with Paragraphs 201.203.205, 206 and 208 of Section 16 of the NPPF.

Residential Amenity / Hours of Operation - Whilst the principle of the proposed use is considered to be acceptable, the impact that it may have on nearby residents needs to be considered carefully. There is an aspiration to create a diverse mix of uses within this part of the City Centre. The use proposed is in full compliance with the City Centre policies in the Core Strategy. Information submitted in support of the application demonstrates that the proposed use should not generate issues relating to noise out break.

There is a need to consider what other impacts the proposal might have in terms of comings and goings. This though as to be assessed in the context of the City Centre as a mixed use area which generally absorbs a greater level of activity during both the daytime and evening than in other locations outside of the city centre. The proposal could result in an increase in comings and goings during the evening and there is the potential for there to be some disturbance associated with this. Whilst it is not possible to control such disturbance through the imposition of conditions it is considered to be reasonable, given the proximity of residential accommodation, to limit the potential for people congregating near to that accommodation at an unreasonable hour and in this context there are some restrictions on the operating hours to be permitted compared with those applied for, with use restrictions related to these further reducing the potential for adverse impacts.

An Operational Management Strategy submitted with the application covers hours of use, staffing, noise management, the management of outdoor seating and storage out of hours and dispersal. It will ensure that amenity is upheld for those using the site and those who live and work nearby.

Given the above it is considered that on balance and subject to conditions, controlling the acoustic insulation of the premises, the hours of operation and the storage and disposal of refuse the proposals would be acceptable and consistent with Core Strategy Policies SP1 and DM1 and saved UDP policies DC10.1, 10.2, 10.3 and 10.4 and DC26.1 and 26.5.

Refuse and Servicing - The submitted Operational Management Plan confirms that retail occupiers will be directed to ensure all deliveries are at suitable times of day, and are immediately brought inside the relevant unit and secured. Soft wheeled trolleys are to be used to minimise noise in the transport of deliveries. In this way, any potential for disturbance from deliveries and waste collection are to be minimised.

In view of the above it is considered that the proposals are consistent with Policy DM1 of the Core Strategy.

Crime and Disorder - It is also felt that an increase in the temporary use of this vacant space particularly during the evening has the potential to increase activity in the St John's neighbourhood out of office hours thus increasing the level of natural surveillance. All external furniture would either be stored within the unit or secured externally overnight to prevent anti-social behaviour outside of the hours of operation.

In view of the above it is considered that the proposals are consistent with Policy DM1 of the Core Strategy.

Car Parking/Highway Safety - The site is in an area that is well served by various methods of public transport including buses, trains and the Metrolink. Taxi drop off arrangements are

acceptable to Highways. The proposals for servicing and waste collections are considered to be acceptable. Given the above, the proposals are considered to be in accordance with Core policies DM1 and T2.

Disabled Access- The temporary nature of the units means that they need to sit on a concrete pad and consequently stepped access is required as given the temporary nature of the installation it is not considered practical or desirable at this time to excavate below the area where the units are to be provided to create level access. The majority of the units are for food and beverage use, with customers to be served via the hatch and making use of the external seating. The experience of the non-ambulant will therefore not be different to other users of those units. A condition would ensure that the hatches are set at a level which would be accessible to a wheelchair user.

A ramp is proposed for the retail unit which will be predominantly experienced from inside. Given this a condition would be attached to any consent granted to ensure that only the unit at the junction of Grape Street and Studio way which is laid out in the submitted plans for a retail use as this has level access.

Notwithstanding the above given that units 1,2,3,4 and 6 would not be fully accessible it is considered that the proposed arrangement would only on balance only be acceptable if the temporary permission is for 3 years rather than the 5 years applied for to enable enhancement to the existing level of access to be reviewed should there be a need or desire for the facility to remain in place for a longer period.

Notwithstanding the above should staff members be wheelchair users, ramps can be installed as required. A condition would be attached to any consent granted that would require a strategy to set out how this would be achieved and what it would look like prior to development commencing. This is considered to be a suitable approach particularly given the temporary nature of the proposals.

Given the above it is considered given the temporary nature of the proposals that this arrangement is on balance acceptable and that the proposals align with Core Strategy Policy DM1.

United Utility Comments – Given the temporary nature of the proposals, that there would be no foundations created as part of the proposals to facilitate new drainage infrastructure and that existing connections for drainage would be utilised it is considered that the recommended condition would not be appropriate to apply to this development.

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: Temporary Approval for 3 years

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) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The permission hereby granted is for a limited period of 3 years expiring on 9th July 2027 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) Dwg GP-EX-01 Existing Site Plan and GP-LP-01 Proposed Location Plan;

(b) Dwg GP GA 01 Rev P2, GP GA 02 Rev P2, GP GA 03 Rev P3, GP GA 10 Rev P4, GP GE 01 Rev P1 and GP GE 02 Rev P1;

(c) Pages 9, 13 and 14 of the GRAPE STREET CONTAINERS Design & Access Statement - July 2024 - Rev B; and

(d) OPERATIONAL MANAGEMENT PLAN GRAPE STREET - CONTAINER RETAIL SCHEME stamped as received on 02-07-24

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 approved use shall operate in accordance with the following hours:

Monday to Friday 07:00 to 23:00 and Saturday 8.00 to 23.00 (with no alcohol to be served between 07.00 and 10.00) and 10:00 to 23:00 on Sunday

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

4) 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

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

5) The development hereby approved shall be carried out in accordance with the Waste Proforma stamped as received on 02-07-24.

The details shall be implemented prior to the first use of the development and thereafter remain in place for as long as the unit is in use.

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.

6) Prior to commencement of the use of any plant and associated 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 before the premises is occupied 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 scheme prior to occupation. The approved scheme shall remain operational thereafter.

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

7) Final details of the method of extraction of any fumes, vapours and odours from any kitchen within each unit within the development 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 occupancy of each unit 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.

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

8) The development shall be implemented and operated in accordance with the management measures and recommendations within the SANDY BROWN, Grape Street Containers, Manchester Acoustic planning report.

The approved noise insulation scheme shall be completed before any of the approved use commences.

(b) Prior to occupation 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 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 or F)

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.

9) The development shall be operated and managed in accordance with the following:

OPERATIONAL MANAGEMENT PLAN GRAPE STREET - CONTAINER RETAIL SCHEME
stamped as received on 02-07-24

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained. The approved details remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E or F)

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) Consent is granted on the basis that there will be no playing of amplified music within the external areas.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1, C10 and DM1 of the Core Strategy and saved Unitary Development Plan policies DC10 and DC26.

11) No development shall take place until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority

- * Display of an emergency contact number;
- * Compound locations where relevant;
- * Commentary on types and frequency of vehicular demands
- * Routing strategy and swept path analysis;
- * Communication strategy with residents and businesses which shall include details of how there will be engagement, consult and notify residents during the works;
- * Parking of construction vehicles and staff; and

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN15, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

12) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development and associated fixtures, fittings and furniture have been submitted to and approved in writing by the City Council as local planning authority. The approved materials shall be used in the construction of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

13) The consent hereby granted is for the use of the Unit 5 as shown on Page 9 of the GRAPE STREET CONTAINERS Design & Access Statement - July 2024 - Rev B for use under Class E (a). All other units as shown on Page 9 of the GRAPE STREET CONTAINERS Design & Access Statement - July 2024 - Rev B (other than the ancillary WC and storage unit) are restricted to use Class E (b) or Sui Generis (p) only 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, ensuring that the services provided by each unit are fully accessible to users pursuant policy DM1 of the Core Strategy for Manchester.

14) The commercial units, as indicated on Page 9 of the GRAPE STREET CONTAINERS Design & Access Statement - July 2024 - Rev B can be occupied as follows Unit 5 Use Classes E(a) and Units 1,2,3,4 and 6 Use Classes E(b) and Si Generis (p) only 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.

15) Prior to commencement of development a strategy for the design of ramped access for any disabled employee for Units 1,2,3,4 and 6 as shown on Page 9 of the GRAPE STREET CONTAINERS Design & Access Statement - July 2024 - Rev B and to ensure that serving

hatches are set at a level accessible to a wheelchair user shall be submitted to and approved in writing by the City Council as Local Planning Authority.

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, ensuring that the each unit can be made fully accessible as necessary for a disabled employee pursuant policy DM1 of the Core Strategy for Manchester.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Chaos Karts, Lower Byrom Street, Manchester, M3 4AP
The Crystal Maze, Lower Byrom Street, Manchester, M3 4AP
Museum Of Science And Industry, Liverpool Road, Manchester, M3 4JP
8 Goods Yard Street, Manchester, M3 3BG
15 Atherton Street, Manchester, M3 3GS

Appendix 2 – Planning constraints

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Castlefield Conservation Area 1979
Area Team Boundary - Name: CENTRAL