

26 April 2023

Manchester City Council
Planning Department
Town Hall
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Dear Angela

Depot Rooftop, Mayfield – Non-Material Amendment (136771/NMC/2023) to Planning Permission ref: 134588/FO/2022

Broadwick recently made an application under Section 96a of the Town and Country Planning Act (1990) (as amended) for a Non-Material Amendment Application to Planning Permission ref: 134588/FO/2022 relates to the Rooftop of Mayfield Depot, Manchester.

This has since been validated by the Local Planning Authority reference 136771/NMC/2023 and seeks to introduce a planning condition to Planning Permission ref: 134588/FO/2022 to agree the details and maximum parameters of any temporary structure erected within Area B on the rooftop of Mayfield Depot.

The description of development, as stated on the decision notice (Planning Permission ref: 134588/FO/2022) is as follows:

“Part retention and part temporary change of use for a three-year period of rooftop area of Mayfield Depot to allow for use as a cinema (retention), event space and ancillary leisure uses, with supporting food and beverage offer (retention) (Sui Generis use) and installation of temporary structures, including for access and associated works”

Since submitting this application, we have discussed a further potential amendment to the wording of Condition 6 attached to 134588/FO/2022 relating to the acoustic limitations to be applied to the proposals.

Background

A new entertainment venue that is structurally detached from other building uses should demonstrate that music noise from the proposal will not be ‘audible’ in nearby residential properties, if the residential properties in question have their windows open. The criterion here is *“Entertainment noise (LAeq,5min) should be controlled to 5dB below the typical background noise level (LA90) in each octave band at the nearest noise sensitive location”*.

The initial planning application was accompanied by a Noise Impact Report undertaken by dBx Acoustics reference R01C dated 05/12/2022 and included a noise impact assessment of the proposed cinema within Area A and a preliminary assessment of Area B, against which dBx applied the MCC criteria (5dB below typical background). However, Condition 6 attached related to Area B, incorrectly includes a requirement for entertainment noise that is 10dB below typical background criteria.

To provide a consistency of approach and in line with MCC's guidance, we request the condition wording be updated by through approval of 136771/NMC/2023 to reflect the fact that the noise impact will be assessed against the MCC criteria for structurally detached event spaces i.e 5dB below typical background criteria. This has been discussed and agreed with the Local Planning Authority to allow for the subsequent discharge of the relevant planning condition.

Proposed Condition Wording

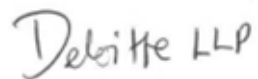
The proposed condition wording for Condition 6 attached to Planning Permission ref: 134588/FO/2022 is to be reworded [inter alia] as follows:

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

We would be grateful if this wording could be incorporated as part of the application made under Section 96a of the Town and Country Planning Act (1990) (as amended), which is in the process of being determined by the Local Planning Authority.

If you require any further details, please do not hesitate to contact my colleagues Josh Wyatt-Smith (jwyattsmith@deloitte.co.uk / 0161 455 8451) or Michael Percival (mipercival@deloitte.co.uk / 0161 455 6672).

Yours sincerely



Deloitte LLP