

27 April 2023

Manchester City Council
Planning Department
Town Hall
PO BOX 532
Manchester
M60 2LA

Dear Angela

Depot Rooftop, Mayfield

Application for Discharge of Conditions 4, 6, 7 & 13 attached to Planning Permission ref: 134588/FO/2022

Please find enclosed an application for the discharge of Conditions 4 (Opening Hours), 6 (Entertainment Noise) and 7 (Plant Noise) attached to Planning Permission ref: 134588/FO/2022, in addition to the discharge of the newly created Condition 13 relating to quantum of temporary structures on the Mayfield Depot roof (as rationalised by the non-material amendment ref: 136771/NMC/2023).

The Site is the Rooftop Area of the Mayfield Depot, Manchester. The Applicant is Broadwick Live.

Background

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”

A non-material amendment was submitted to MCC on 21 April 2023 to introduce Condition 13, covering the location, details and maximum parameters of any future temporary structure on the Mayfield Depot roof, in addition to amending the wording of Condition 6 from “10db below... [ambient]” to “5dB below... [ambient]” to bring it in line with MCC EHO guidance. This approach and sequencing has been agreed with MCC as the local planning authority.

This application is submitted to discharge the newly created temporary structures condition, in addition to partially discharging the amended Condition 6 (Entertainment Noise), Condition 4 (Opening Hours) and Condition 7 (Plant Noise).

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Condition Discharge

This sections sets out the relevant conditions and documents that are submitted in support of the application for the partial discharge of Condition 6 (Entertainment Noise), Condition 7 (Plant Noise) and the full discharge Condition 4 (Opening Hours) and 13 (Temporary Structures) introduced under ref: 136771/NMC/2023.

Condition 4 (Opening Hours)

The wording of Condition 4 is as follows:

“Before any use of Area B as shown in Dwg MAY-K002 RO stamped as received on 17-01-23 hereby approved commences details of the proposed operating hours shall be submitted to and approved in writing by the City Council as local planning authority. The approved hours shall then be implemented.”

To support the discharge of Condition 4, please find enclosed the Broadwick Live “Opening Hours” document, which confirm the opening hours for events in Areas A and B.

The document confirms the opening hours for Area A comply with Condition 3, and are as follows:

- Monday -Thursday: 14:00-00:00 / 00:30 (depending on the duration of the film);
- Friday - Saturday: 10:00-00:00 (but with the option of midnight screenings which will generally finish between 02:00 and 02:30 depending on the duration of the film);
- Sunday 10:00–22:00 / 22:30 (depending on the duration of the film)

The document confirms that opening hours for events in Area B will take place between 10:00 – 00:00, and also highlights that the premises has been granted a license between 10:00 – 02:30, and that some events may run until this time.

Condition 6 (Entertainment Noise)

The wording of Condition 6 is as follows:

“Notwithstanding the recommendation within the Mayfield Depot Cinema, Manchester Noise Survey and Noise Impact Assessment Mayfield Depot Cinema R01C Client: Broadwick Live Dated: 5/12/2022 by DbX Acoustics before the operation of Area B as shown in Dwg MAY-K002 RO stamped as received on 17-01-23 commences , details of how the spaces will be acoustically insulated and treated to limit the break out of noise 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.

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. The scheme proposed may need to include different measures such as acoustic lobbies at access and egress points of the premises, acoustic treatment of the building structure, sound limiters linked to sound amplification equipment and specified maximum internal noise levels.

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

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 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."

To support the partial discharge of Condition 6, please find enclosed a Noise Impact Assessment produced by Three Spires Acoustics.

In summary, the Assessment concludes that, with an appropriate robust temporary event structure, the entertainment noise breakout would be suitable to achieve the MCC criterion for structurally detached venues. Tables 9 and 10 within the Assessment detail the cumulative impacts up to, and after, 2300 hrs.

Verification testing will be undertaken to understand the cumulative situation during the summer of 2023 when both the proposed uses are in operation.

Condition 7 (Plant Noise)

The wording of Condition 7 is as follows:

"Prior to use of Area B as shown in Dwg MAY-K002 RO stamped as received on 17-01-23 commencing 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 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."

To support the partial discharge of Condition 7, please find enclosed a Noise Impact Assessment produced by Three Spires Acoustics.

It recommends that plant noise is limited to at least no greater than 10dB below the LA90 (the prevailing acoustic environment). This has included 10dB of barrier attenuation for NSR1 (Student Accommodation), as plant will be obscured by the event structure and the cinema structure, and no barrier attenuation for NSR2 (Ardwick Green) and NSR3 (Cotter Street).

Plant noise predictive calculations have been undertaken which indicates plant noise at NSRs will be between 11 and 17dB below the modal background level at the NSR's, and therefore comply with MCC technical requirements of at least 10dB below modal background levels.

Verification testing will be undertaken for the cumulative situation during the summer of 2023 when both the proposed uses are in operation.

Condition 13 (Temporary Structure)

In April 2023, the Applicant submitted and gained approval for a non-material amendment, to introduce the following condition:

“Prior to the use of Area B as shown in Dwg MAY-K002 RO stamped as received on 17-01-23 commencing, the location, details and maximum parameters of any temporary structure shall be submitted and approved in writing by the City Council as Local Planning Authority.”

To support the discharge of Condition 13, please find enclosed the Proposed Elevations plan (ref: BWD041-400/A) indicating the dimensions of the proposed temporary structure in Area B of the Mayfield Depot roof (35610 x 8486 x 23740), in addition to the maximum parameters of any future temporary structure on the site.

Summary

Table 1 below summarises the information submitted in support of this application.

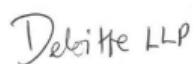
Condition	Partial or Full Discharge	Documents Submitted
4 (Opening Hours)	Full discharge	Opening Hours document prepared by Broadwick Live
6 (Entertainment Noise)	Partial discharge	Noise Impact Assessment produced by Three Spires Acoustics
7 (Plant Noise)	Partial discharge	
13 (Temporary Structures)	Full Discharge	Proposed Elevations (ref: BWD041-400/A) prepared by Broadwick Live.

The application has been submitted through the Planning Portal and the reference number for this application is PP-12101089.

A fee has been paid to Manchester City Council for £116, in addition to any administrative fees by the Planning Portal, in respect of the requisite application fee. We request the Local Planning Authority's written consent that the enclosed information is sufficient to allow the partial discharge of Conditions 6 and 7 as outlined above.

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