

20 February 2023

FAO Jennifer Atkinson
Manchester City Council
Planning Department
PO Box 532
Town Hall
Manchester
M60 2LA

Dear Jennifer,

Manchester Goods Yard, St John's, Manchester - Application for Discharge of Conditions for Planning Permission Reference 131318/JO/2021

Please find enclosed a Condition Discharge application submitted by Manchester Quays (MGY) Developments Limited, for the Discharge of Conditions attached to Planning Permission 131318/JO/2021, relating to the Manchester Goods Yard ('MGY') development in Manchester City Centre.

The original planning permission has been subjected to a minor material amendment (S.73 – variation of condition) application with the following description of development:

"Variation of Condition 2 attached to 121511/FO/2018, as amended, to reflect enclosing the terrace at level 9 and include additional and revised areas at ground and mezzanine floors with associated ground floor access changes on approved plans."

For clarity on the extent of the approval, the original Planning Permission Reference 121511/FO/2018 to which this S.73 application relates approved the following description of development:

"Erection of two buildings comprising: 11 storey mixed use building (including ground and mezzanine) comprising workspace (Use Class B1), with retail uses at ground and mezzanine levels (Use Class A1/A2/A3/A4 and / or D2) and rooftop amenity spaces known as Manchester Goods Yard; and, a further 10 storey mixed use building (including ground) comprising workspace (Use Class B1), with retail uses at ground level (Use Class A1/A2/A3/A4 and / or D2) known as No.1 Grape Street, above two levels of basement parking for 391 cars and cycle storage, together with new public realm, landscaping, provision of external seating areas, access and other associated works."

The original application was granted permission on 14 December 2018. Broadly, the revised proposals are consistent with the original approval in terms of use and appearance.

The remainder of this letter sets out the condition wording and information submitted in order to discharge the conditions against application reference 131318/JO/2021 in relation to Manchester Goods Yard.

Condition Discharge

The Applicant has now secured a future tenant for Commercial Unit 4 of the ground floor of MGY (see Figure 1 below), located in the north east corner of the building.

The team behind the Manchester-born luxury restaurant brand, Tattu, are launching their second culinary venture, ‘Fenix’ which is a vibrant dining concept inspired by modern Greek fusion cuisine. As such, they’re seeking to discharge relevant pre-occupation conditions before their highly anticipated opening (Conditions 6, 9, 10, 12, 13, 17 and 20).

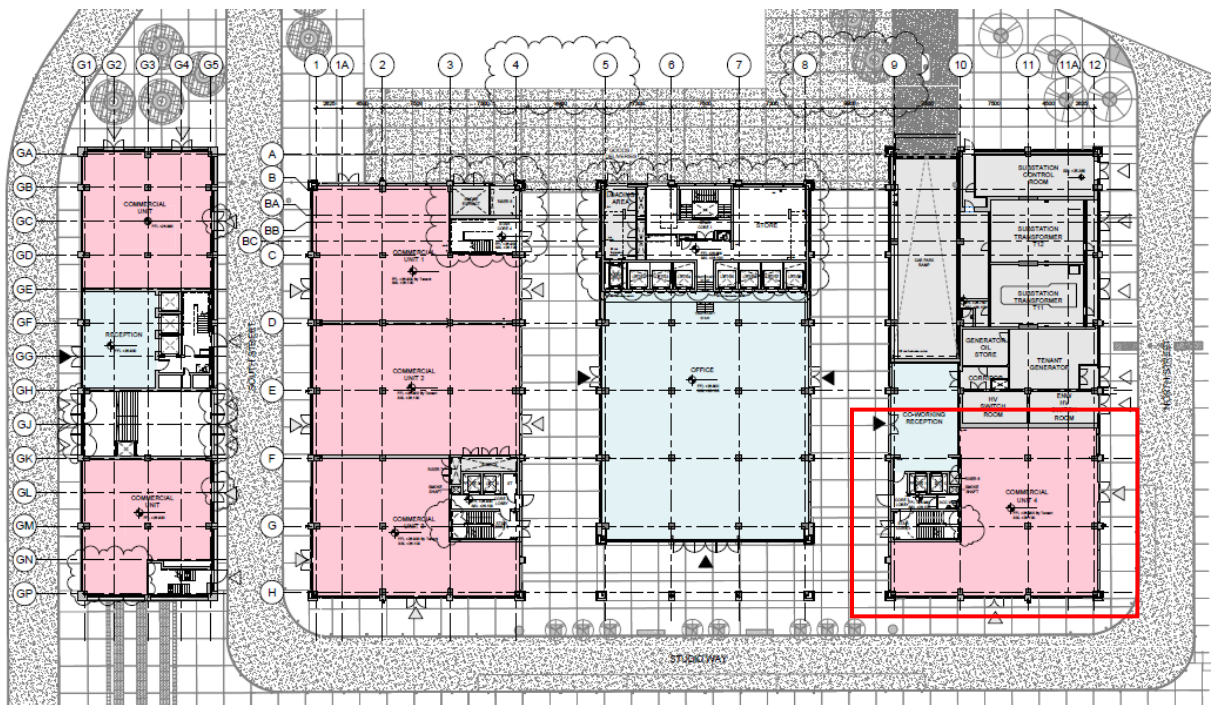


Figure 1 – Manchester Goods Yard Ground Floor Layout (as approved under Ref: 131318/JO/2021)

Further to this, following practical completion of Manchester Goods Yard at the end of 2022, the building has achieved a Secure by Design ‘Gold Award’ for its measures in preventing crime. Therefore, the Applicant is seeking to discharge Condition 10.

The table below sets out the relevant condition and the documents that are submitted in support of the application for discharge, and whether full or partial condition discharge is applied for.

Table 1: Condition and Information Submitted

No.	Condition Wording	Full or Partial Discharge	Submitted Information
6	Details of External Seating Areas Full details of all external seating areas within the development shall be submitted to, and approved in writing by the City Council, as local planning authority, prior to the first occupation of ground floor use to which the external seating areas relate. The details shall include areas to be used for the consumption of	Partial Discharge for Commercial Unit 4 of MGY.	Fenix – Exterior Design and Signage Proposal prepared by Fable Studio

No.	Condition Wording	Full or Partial Discharge	Submitted Information
	food and drink, means of demarcation, furniture, lighting, signage and a schedule of days and hours of operation.		Please see Condition 13 below for opening hours.
9	Details of Toilet Provision in A3/A4 Uses Prior to the commencement of each Class A3 restaurant and cafe use or Class A4 Drinking Establishment use, full details showing provision of toilets, including those for disabled people, shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development, prior to commencement of use, and shall remain in situ whilst the use or development is in operation.	Partial Discharge for Commercial Unit 4 of MGY.	- Fenix - Ground Floor General Arrangement Plan prepared by Fabled Studio - Fenix - First Floor General Arrangement Plan prepared by Fabled Studio - Fenix – WC Provision / Calculation prepared by Fabled Studio
10	Secure by Design Accreditation The development shall hereby be constructed in accordance with the submitted letter from Secure By Design Officers approved under CDN/20/0322 against 121511/FO/2018, confirming that the Secure By Design have reviewed the proposed measures and these shall remain in place thereafter. The development hereby approved shall be carried out in accordance with the approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.	Full Discharge for the whole development of MGY.	Secured by Design Accreditation from GMP Design for Security The Secure by Design Accreditation confirms the whole of Manchester Goods Yard has achieved a 'Gold Award' for measures to prevent crime.
12	Opening Hours The Retail (Class A1), Restaurant and Cafes (Class A3) and Drinking Establishments (Class A4) hereby approved shall not be occupied unless and until the opening hours of such uses have been agreed in writing by the City Council as local planning authority. Those uses shall thereafter not open outside the approved hours.	Partial Discharge for Commercial Unit 4 of MGY.	The proposed hours of operation for Commercial Unit 4 (Fenix) are as follows: 11am – 2am (Mon - Sun)
13	Hours of Operation Prior to the first occupation of any premises within each building, a schedule of days and hours of operation of all external areas associated with that building shall be submitted to and approved in writing by the City Council as local planning	Partial Discharge for Commercial Unit 4 of MGY.	The proposed hours of operation for the external seating areas of Commercial Unit 4 (Fenix) are as follows:

No.	Condition Wording	Full or Partial Discharge	Submitted Information
	authority. All external areas shall thereafter not open outside the approved hours.		11am – 10pm (Mon - Sun)
17	Fume and Odour Statement 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; any works approved shall be implemented 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	Partial Discharge for Commercial Unit 4 of MGY.	Fenix – Kitchen Extract Statement prepared by Hensall
20	Scheme for Acoustic Insulation Before any A3 or A4 use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the development 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 or as otherwise agreed in writing by the City Council as local planning authority. Where entertainment noise is proposed the LAeq (entertainment noise) should be controlled to 10dB below the LA90 (without entertainment noise) 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 should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.	Partial Discharge for Commercial Unit 4 of MGY.	Fenix – Acoustic Design Review prepared by Sandy Brown

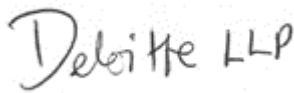
Summary

In addition to the documents listed in **Table 1** and this covering letter, the application comprises the application form.

Payment will be made to Manchester City Council for £116, in respect of the application fee for this application to agree details reserved by condition, via the Planning Portal (Planning Portal Reference: PP-PP-PP-11927258).

We trust you will find this application in order, and we look forward to receiving written confirmation of its registration. If you require any further details, please contact me using the details provided overleaf or Michael Percival on 0161 455 6672 (mipercival@deloitte.co.uk).

Yours sincerely

A handwritten signature in black ink that reads "Deloitte LLP". The signature is written in a cursive, slightly stylized font.

Deloitte LLP

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