

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134588/FO/2022

Date registered valid: 27 September 2022

Proposal: 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.

Address: 11 Baring Street, Manchester, M1 2PY

Ward(s): Piccadilly Ward

Applicant: Mayfield Development Partnership LP 11 Baring Street, The Gatehouse, Manchester, M1 2PY

Agent (if any): Mr Michael Percival Deloitte LLP Hanover Building, Floor 2, Corporation Street, Manchester, M4 3AN

Case officer: Angela Leckie
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Recommendation: Temporary Approval until 27-01-26

Date of recommendation: 27-01-23

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 8 November 2022

Standard consultations:

Printed: 4 October 2022 Expired: 25 October 2022

Neighbour notifications

Printed: 4 October 2022 Expired: 25 October 2022

Site notice

Posted: 4 October 2022 Expired: 25 October 2022

Press advert

Published: 11 October 2022 Expired: 1 November 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/ Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application site is bounded by Baring Street to the west, Travis Street and Neild Street/Fairfield Street to the north and Freight Island to the south. The site includes part of the former train platform area and the enclosed rooftop area (level 1) of the Mayfield Depot building at the junction of Travis Street and Baring Street.

The site sits within the wider Mayfield area bounded by Fairfield Street to the north; Temperance Street to the north-east; the Mancunian Way Ring Road (A635) to the south; and London Road (A6) to the west. More specifically the Mayfield Area can be defined as being bounded by Fairfield Street to the north; Temperance and Amory Street to the north-east; the River Medlock to the south' and Baring Street to the west.

The Mayfield Depot forms part of the existing wider Mayfield Station complex. The station was built in 1910 as an overflow to Piccadilly Train Station (grade II listed), servicing routes to South Manchester and Cheshire. Between 1970 and 1986, it was used as a parcel depot. The Depot building has remained predominantly disused since the departure of Royal Mail and has the potential to be considered as a non-designated heritage asset. The Star and Garter public house (grade II listed) is on Fairfield Street immediately north of the site, adjacent to the platform ramp and ticket hall. Other nearby designated heritage assets include the Grade II* London Road Fire Station.

To the west is student accommodation operated by Unite (Piccadilly Place) as well as an area of surface car parking and an electricity substation. To the south of the Unite complex, beyond Buxton Street, is a further student accommodation (Liberty Point). Further west, beyond the student accommodation, is the MacDonald Hotel fronting London Road. In the wider context, there are significant existing residential areas north of Piccadilly Train Station (Piccadilly Village) and to the south of the Ring Road (north of Ardwick Green Park) and south-west of Wadeson Road.

The proposal site is not located within a designated Conservation Area, nor does it contain any listed buildings. The Grade II Listed Star and Garter pub lies to the north of the site.

The proposal site is located in an urban setting of the Mayfield Area of Manchester in an area predominantly characterized by offices, workshops and light industrial uses with properties of differing styles and heights.

The proposal site is within the Manchester City Council (MCC) endorsed Mayfield Strategic Regeneration Framework (2018) (SRF) area which covers an area of approximately 74 ha overall. The Mayfield SRF highlights the potential for 'meanwhile' uses within the regeneration area to help kick-start regeneration and facilitate economic and social activity, particularly in the local community. The proposal, as previously stated, would cover approximately 2.5 ha of the overall Mayfield SRF.

There are a number of development plots in the immediate area which form part of the overall Mayfield SRF. Some associated and standalone 'meanwhile' uses have recently received planning permission or are still pending consideration. These developments are as follows:

Consent has previously been granted for temporary change of use for a 5 year period for the Mayfield Depot from Use Class B8 to Sui Generis Use Class, comprising theatre, music, dance, performance-related activities (Sui Generis), cinema and conferencing (Use Class D2), food and drink festivals including external food and drink operators (Use Class A3 and A4), art exhibitions and markets (Use Class A1/D2), marketing suites and offices (Use Class B1), with associated demolition, external alterations, landscaping, servicing and access (application ref no 123728/FO/2019). These activities take place within the area below the proposed use.

Description of Proposal

The application seeks a consent for a temporary change of use for a three-year period of rooftop area of Mayfield Depot to allow for the retention of a cinema with supporting food and beverage offer (Area A) and for use as an event space and ancillary leisure uses (Area B Sui Generis use) and installation of temporary structures, including for access and associated works. The space would be divided into 2 areas, 1 Area A operated by Backdoor Cinema Club. The second area, Area B, would be utilised as either a seasonal events space with activations such as a winter ice rink or a full time exhibition, art installations and theatre. The types of events and activities expected to take place on the Platform would include and dance performances, exhibitions, art installations, corporate hire events, ice rinks, community events, children and young people activities, brand activations and commercial filming.

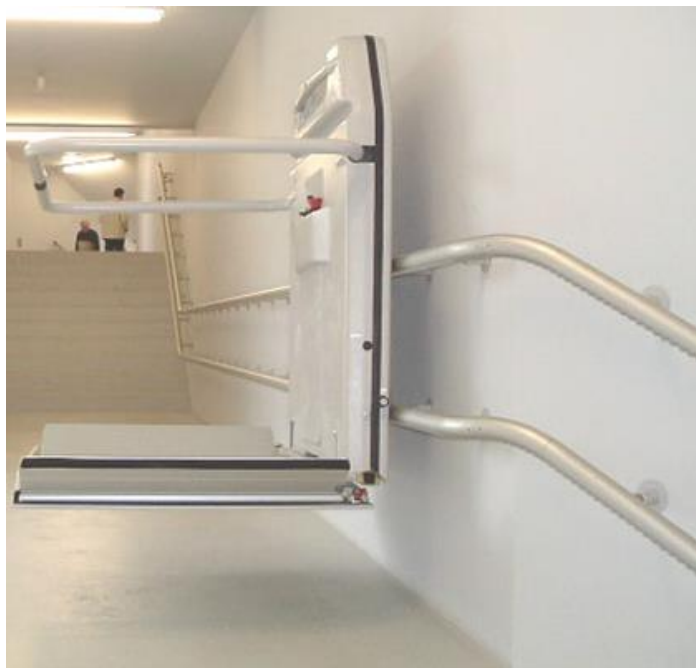
Whilst the F&B offer, ancillary and back of house facilities would be located within the level 1 part of the Depot building the cinema itself (located within a series of rooms) and ancillary facilities such as toilets would be located on the former platform area within new temporary pitched roof structures. The temporary structures would be clad on the south side with insulated, flat architectural wall-cladding panels. The intension is to mirror the walls of the main Depot. Between these areas there would be some external seating areas. A series of rooms within the temporary structure would immerse guests in the cinema experience and changing theme for Backyard Cinema.

Depot Mayfield currently consists of flexible spaces to be used for a variety of cultural and community events including theatre, film, dance, pop-up food festivals, conferences, live music, gaming events and art exhibitions, and associated facilities including retail, food and bar use, administrative and back of house function, servicing and access arrangements.

The proposals set out in this document are seeking to activate the rooftop areas of the venue.

Perspex window infills would be applied to 4 of the windows facing Travis Street.

The site would be accessed via a level entrance leading to a wide set of stairs sub divided by a central rail. On one side of this a stairlift would provide access for disabled people and prams up to the first floor.



Once at the roof level, all guests will be able to move around the venue in a step-free manner. Tables and benches will be designed so that they can provide wheelchair users with a place at the table. Spaces are available in the cinema area for guests who require a wheelchair. An accessible WC will be available on the level access also, the location of which is to be determined as site plans develop. In addition to the stairlift an alternative access route would be available via vehicular drop off up the vehicular ramp next to the entrance up to platform level.

Adjacent to the Travis Street entrance would be an initial welcome point whilst the ticket office for the cinema will be located on the roof.

The proposals would form part of the wider Placemaking Strategy for the Mayfield SRF Area in advance of full delivery of the buildings proposed by the Masterplan. This is to ensure that we continue to develop a more diverse range of entertainment and cultural offerings with the aim of attracting a wider audience including families and the local community.

The proposed hours of operation are :

Area A

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)

Area B

10:00-02:30 Monday to Sunday

Consultations & Notification Responses

Publicity – The application was advertised as a public interest development. Occupiers of adjacent buildings were notified about the proposals and a site notice was displayed on the site. No representations have been received.

The Head of Neighbourhood Services (Highway Services) - No objections subject to the implementation of the submitted Event Management details being a condition of any consent granted.

Head of Regulatory and Enforcement Services - (Street Management and Enforcement)
Has no objections but has recommended conditions in relation to storage and disposal of refuse, fume extraction, the acoustic insulation of plant and equipment, acoustic insulation of the uses and hours of operation of each of Areas A&B.

GMEU – Have no objections but have requested that a reasonable avoidance measures method statement for bats shall be provided prior to any building works or use of new lighting is a condition of any consent granted.

GMP (Design for Security) – Have no objections subject to the submitted crime prevention measures being a condition of any consent granted.

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.

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

Principle of the Use / Regeneration

Regeneration is an important planning consideration and there is a need to build on the regeneration that has already taken place within the Mayfield Area and the investment and environmental improvements which are continuing there.

The space which is the subject of this application is located within a part of the City where these types of use would normally be acceptable in principle and the proposal would occupy vacant floorspace within a key regeneration zone. The proposed uses will bring activity and vibrancy to this part of the Mayfield area complementing existing placemaking activity whilst crucially adding to street level activity. The proposed uses would be complementary to the existing and emerging uses in the area, providing an additional facility for local residents and businesses; 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 Mayfield 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, DC18 and DC26.

Visual Impact - The proposals would be primarily housed in a series of temporary structures that align with the existing roofline of the Mayfield Depot which would limit the visual impact from nearby locations. The structures would have a negligible impact on the adjacent listed Star and Garter. Whilst long term it would be expected that the windows are fully reinstated in the upper floor of the Depot, the perspex insets to the Depot with lighting behind are acceptable and will act as a wayfinding element for the development.

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

Residential Amenity / Hours of Operation

Whilst the principle of the proposed uses is considered to be acceptable the impact that they 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 uses now proposed are in full compliance with the City Centre policies in the Core Strategy.

Whilst the information submitted in support of the application demonstrates that the proposed use of Area A should not generate issues relating to noise out break from the unit. However more data is required in relation of Area B and the use of this Area would have to be subject to discharge of a pre-commencement condition to agree any operating noise limitations and mitigation which will include limits on the hours of operation.

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. However in doing so, there is a balance to

be made which weighs up carefully the reasonable expectations of residents, the City Centre context and the aspirations for the area to develop as a mixed use destination with more activity in the evening. It is believed that in this regard that this would be achieved through agreeing appropriate limitations on the proposed hours of operation via a condition attached to any consent granted, should any use which is likely to have potential to create be secured in any of the units.

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.

Crime and Disorder

Greater Manchester Police Design for Security have advised that they are happy to support the proposals provided that the recommendations that they have made are implemented on site. It is also felt that an increase in the use of vacant properties particularly during the evening has the potential to increase the level of natural surveillance.

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 and the site is also serviced by a nearby taxi rank operating from Piccadilly Station. In order to encourage public transport modes, guests will be informed of ways to access the Site

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- As detailed above a stairlift would provide access up to the 1st floor platform. In addition there is an alternative way of getting up to the rooftop, which effectively means driving up the ramp to the Depot roof and parking a car in a back of house location, to which level access is provided to and from the rooftop cinema venue.

A number of alternative options were considered as follows:

- Refurbishing the existing lift shaft within the Depot and installing a new lift with an overrun is cost prohibitive and would render the proposals unviable.
- The lift access in the Gatehouse via the bridge is part of U+Is demise and does not form part of Broadwick's agreement for lease. This is controlled by the security office who are only there during daytime hours, so wouldn't be able to facilitate access out of hours in any case.

In term of the Cinema all guest who purchase tickets will be asked if there are any accessibility needs and they will be contacted directly by Backyard Cinema to understand their needs and if they are comfortable with access via the stairlift or roof and if they have any additional needs.

On this above basis and given the temporary nature of the proposals the proposed accessible access arrangement are considered to be acceptable.

- It is also noted in terms of accessibility that a number of design and management measures in addition to those outlined above are proposed to make the use more inclusive including the following:
- 2 accessible toilets available on the rooftop, 1 x within the cinema structure which has level access and 1 x externally close to the F&B areas, which is standalone portacabin unit which has ramped access (all fitted with an audible and visual alarm to the outside of the cubicle).
- The seating within the cinema is easily moveable and therefore can be moved accordingly to suit - this is being reviewed based on the above comments.
- There would be specific subtitled screenings as noted against the relevant screenings.

In addition clear communications of accessibility on site which will be included on the Website with Information as to access provisions currently available and what is to come and the following:

- A display board at the entrance providing information as to what is currently available in terms of management of accessibility and what is to come.
- Information on drop off access for the rooftop (or parking where its felt appropriate to allow)
- Include an email and phone number in the booking flow to discuss accessibility requirements
- Information on drop off access for the rooftop (or parking where its felt appropriate to allow)

Given this the proposals would be consistent with Core Strategy Policy DM1.

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 until 27-01-26

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.

0) Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the development and post and pre application advice about the information required to be submitted to support the application.

Conditions

1) The permission hereby granted is for a limited period only, expiring on 27-01-26 and the use comprising the development for which permission is hereby temporarily granted is required to be discontinued on that date.

All temporary external structures associated with this permission shall be removed within 28 days following the expiry of this temporary permission.

Reason -The consent is for a temporary period only and 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, CC2, CC4, CC9 and EN3 and DM1 and saved UDP policies DC26.

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

(a) Depot Site Plan Version 8 stamped as received on 03-08-22 and Back Yard Cinema Plan dated stamped as received on 27-09-22 ;

(b) Dwg MAY-K002 RO stamped as received on 17-01-23;

(c) PLATFORM PLAN V8 stamped as received on 27-09-22;

(d) Dwgs BWD042-200, BWD042-410 , TRAVIS ST ELEVATION and TRAVIS ST ELEVATION all stamped as received on 27-09-22;

(e) Dwgs PLATFORM ACCESS PLAN V2 stamped as received on 27-09-22;

(f) Deloitte's e-mail in relation to cycle parking dated 08-11-22;

(g) Deloitte e-mail 12-12-22 : BuroHappold setting out bat roost avoidance measures;

(h) Mayfield Depot Waste Management Plan and Platform Waste Storage Plan Version 2 both stamped as received on 27-09-22;

(i) dB Acoustics Report Mayfield Depot Cinema R01C Client: Broadwick Live Date: 5/12/2022; and

(j) Deloitte's e-mail dated 27-01-23 in relation to fume extraction / ventilation.

Reason - Pursuant to Core Strategy Policies SP1, CC1, CC2, CC4, CC9 and EN3 and DM1 and saved UDP policies DC18.1, DC19.1, DC26.1 and DC26.5

3) Area A (Cinema and Bar) as shown in Dwg MAY-K002 RO stamped as received on 17-01-23 shall only operate between the following hours:

Monday -Thursday: 14:00-00:30

Friday - Saturday: 10:00-02.30

Sunday 10:00-22:30

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.

4) 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.

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.

5) Area A 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.

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.

6) 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 10dB 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.

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.

7) 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.

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.

8) Accessibility arrangements and communication shall be implemented and continue to operate in accordance with the e-mail from Deloitte dated 08 11 22 and Access Management Note from Deloitte dated 13 10 22

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).

9) The development hereby approved shall be carried out in accordance with the Mayfield Depot Waste Management Plan and Platform Waste Storage Plan Version 2 both stamped as received on 27-09-22 subject to emptying of bins being restricted to 09.00 to 23.00 hours

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 cinema, event space and ancillary leisure uses, with supporting food and beverage offer (Sui Generis use) are 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.

10) The use shall be operated in accordance with the following:

EVENT MANAGEMENT STRATEGY Depot Mayfield Rooftop Version 4 August 2022 as amended by the OPENING HOURS DEPOT ROOFTOP Note stamped as received on 07-12-22 (Area A) and subject to the hours and acoustic management measures to be subsequently agreed in relation to conditions 4 and 6 (Area B).

The approved details shall be implemented and remain in place for as long as the cinema, event space and ancillary leisure uses, with supporting food and beverage offer (Sui Generis use) are in use.

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.

11) The use shall be implemented and operated as set out in the e-mail dated 08 -11 22 and shall be retained thereafter while the use is operational.

Reason - To reduce the risk of crime 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).

12) The food and drink operations withing Area A shall operate in accordance with the following:

VENTILATION AND EXTRACTION STATEMENT, DEPOT MAYFIELD, 11 BARING STREET, MANCHESTER,M1 2PY and the approved details shall be implemented and remain in place for as long as the cinema, event space and ancillary leisure uses, with supporting food and beverage offer (Sui Generis use) are in use.

Should the nature of those operation change in the future then an application to vary this condition to allow for any changes to the ventilation system will be required

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

Informatives

1) The consent hereby granted does not grant or imply the granting of consent for any structures within Area B which are not shown on the plans approved under condition 2 which would require planning permission.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
City Centre Renegeration
Greater Manchester Police
Transport For Greater Manchester
Greater Manchester Ecology Unit
Network Rail
High Speed Two (HS2) Limited

Room 5 Flat 59, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 59, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 58, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 58, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 58, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 58, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 57, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 57, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 83, Mill Point, 29 Berry Street, Manchester, M1 2AR

Flat 82, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 81, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 78, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 72, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 58, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 32, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 22, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 21, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat Above, Star And Garter, 18 - 20 Fairfield Street, Manchester, M1 2QF
Star And Garter, 18 - 20 Fairfield Street, Manchester, M1 2QF
Flat 212, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 217, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 215, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 206, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 203, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 201, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 214, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 210, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 208, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 211, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 202, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 21, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 27, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 49, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 70, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 134, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 1, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 3, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 34, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 61, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 83, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 93, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 94, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 127, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 132, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 16, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 25, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 35, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 85, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 91, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 111, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Room 4 Flat 1, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room A Flat 219, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 214, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 214, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 211, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 208, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 208, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 202, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 200, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 108, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 107, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 107, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 106, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH

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Room A Flat 38, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 35, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 19, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 14, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 43, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 29, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 28, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 27, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 3, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 1, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 118, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 111, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room A Flat 222, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room 3 Flat 3, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 2, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 1, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 4, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room D Flat 3, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room 4 Flat 17, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 17, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 16, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 14, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 11, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 9, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 8, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 7, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room A Flat 108, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 107, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 104, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 103, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 102, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 216, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 214, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 211, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 211, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 210, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 210, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 207, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 205, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 202, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 202, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 102, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 101, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 100, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 97, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 96, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 22, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 220, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 77, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 78, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 125, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 133, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 2, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 200, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH

Flat 100, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 101, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 129, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 131, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Mayfield Storage, Fairfield Street, Manchester, M1 2QF
Mayfield Storage And Distribution, Temperance Street, Manchester, M12 6HW
Flat 222, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 221, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
10 Nether Street, Manchester, M12 6HY
Flat 86, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 75, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 68, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 65, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 53, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 50, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 46, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 42, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 31, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 30, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 26, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 1, Mill Point, 29 Berry Street, Manchester, M1 2AR
Flat 216, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 209, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 207, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 205, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Flat 6, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 23, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 26, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 28, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 32, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 44, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 62, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 86, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 88, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 90, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 122, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Flat 71, Piccadilly Point, 23 Berry Street, Manchester, M1 2AD
Flat 154, Piccadilly Point, 23 Berry Street, Manchester, M1 2BG
Room 2 Flat 55, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 52, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 51, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 50, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 12, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 20, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 19, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 18, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 12, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 11, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 9, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 8, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 6, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 6, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 3, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 1, Mill Point, 29 Berry Street, Manchester, M1 2AR

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Flat 109, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 21, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 21, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 21, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 20, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 19, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 18, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 12, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 11, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 8, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 7, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 7, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 5, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 5, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 4, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 4, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 3, Mill Point, 29 Berry Street, Manchester, M1 2AR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Area Team Boundary - Name: CENTRAL