

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Approval of details reserved by condition

Applicant

Mr Chris Monkman
Urban Splash
Timber Wharf
16-22 Worsley Street
Castlefield
Manchester
M15 4LD

Agent (if used)

Mr Richard Cossins
DJR Food and Beverage Ltd
Via Email

Part 1 – Particulars of the application/development

Proposal: Discharge of planning conditions 19 (b) (Waste - commercial), 21 (Noise - commercial), 22 (Opening Hours) and 25 (Fume Extraction) associated with planning permission 122077/JO/2018

Location: Unit 3 9 Keepers Quay New Islington Marina, Coppersmith Road & Winder Drive (Phase 2 New Islington), Ancoats, Manchester, M4 6HF

Date of application: 17 September 2021

Application number: CDN/21/0689

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

Waste Commercial

The discharge of condition 19 (b) (Waste - commercial) associated to planning permission 122077/JO/2018 is approved on the basis that the development follows in accordance with the following document referenced:

Refuse Strategy referenced SKM-(20)105 stamped as received by the City Council, as Local Planning Authority, 11 November 2021

Waste Collection Agreement referenced FS0005 stamped as received by the City Council, as Local Planning Authority, 9 November 2021

Waste Management referenced 'Freshstart-Quote' stamped as received by the City Council, as Local Planning Authority, 9 November 2021

The information is considered to be acceptable and condition 19 (b) is now formally discharged.

Noise Commercial

Condition 21 (Noise- commercial) associated to planning permission 122077/JO/2018 is approved on the basis that the development follows the agreed upon scheme in the following document referenced:

Noise Assessment Report referenced AA0364 stamped as received by the City Council, as Local Planning Authority 15 July 2021.

The information is considered to be acceptable and condition 21 is now formally discharged.

Opening hours

Condition 22 (hours of operation) associated to planning permission 122077/JO/2018 is formally discharged on the basis that the premises shall not open outside the following hours:

- Monday to Thursday 08:00- 23:30
- Friday to Saturday 08:00- 00:00
- Sunday 09:00- 23:00

Fume Extraction

Condition 25 (Fume Extraction) associated to planning permission 122077/JO/2018 is approved on the basis that the development follows the agreed upon scheme in the following document referenced:

Certification of Calibration referenced N/37263 stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Certificate of Calibration referenced N/37249 stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Certificate of Calibration referenced N/37248 stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Commissioning Acceptance Certificate stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Vent Installation Ground Floor Level referenced C000- M01 stamped as received by the City Council, as Local Planning Authority 4 November 2021

The information is considered to be acceptable and condition 25 is now formally discharged.

Date: 23 November 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.