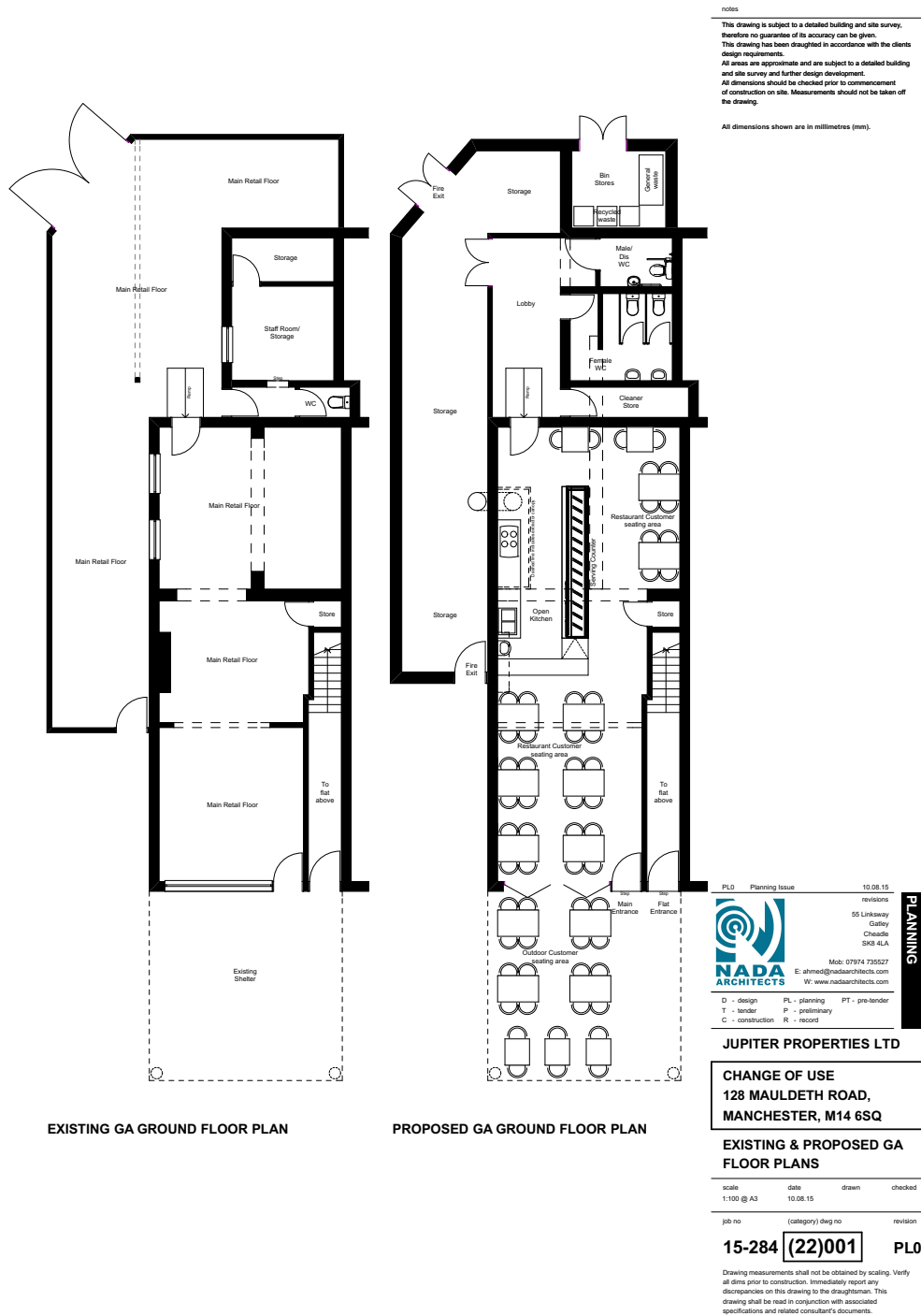
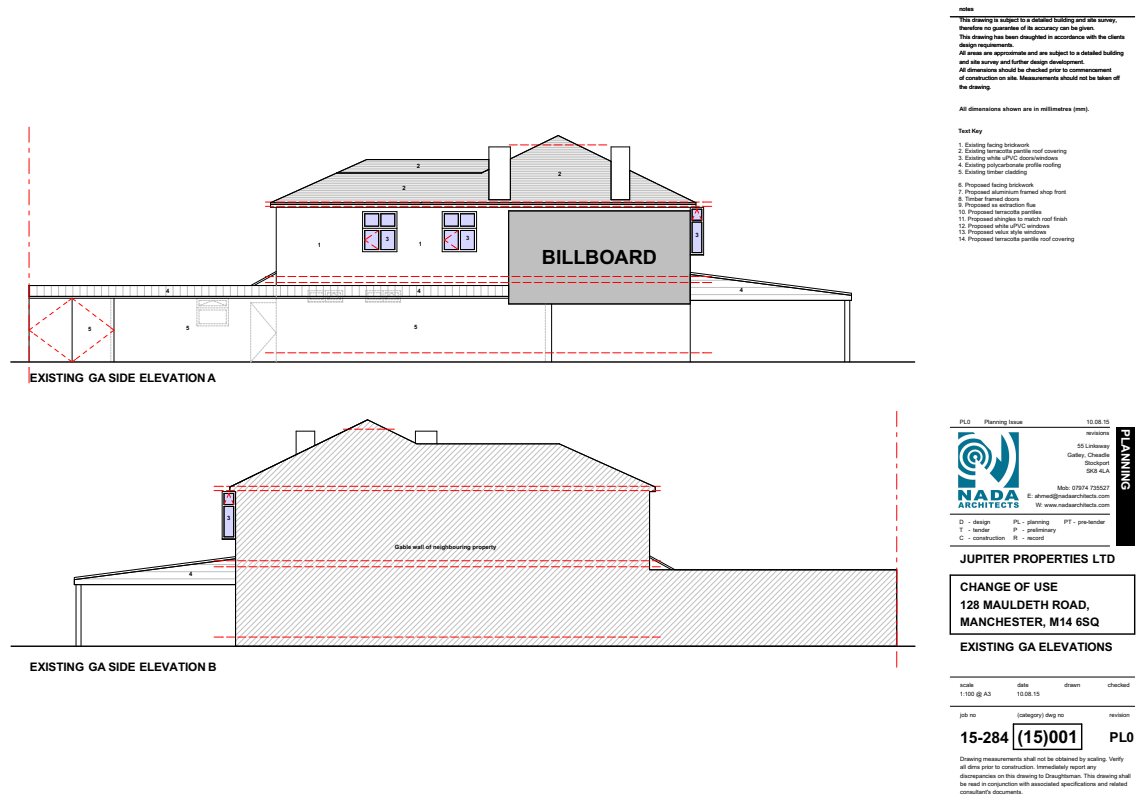


Planning application 109898/FO/2015/S1- Exhibit 3



Drawing No. 15-284 (22) 001 PLO – Existing and Proposed Floor Plans (dated 10.08.15)

Source – Manchester City Council Online Planning Register produced only in evidence and for no other purpose



Drawing No. 15-284 (15) 001 PLO – Existing GA Elevations (dated 10.08.15)

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Anil Aggarwal
246 Wilmslow Road
Withington
Manchester
M14 6LD

Agent (if used)

Mr Ahmed Choudhry
NADA Architects
55 Linksway
Galley
Cheshire
Stockport
SK8 4LA

Part 1 – Particulars of the application/development

Proposal: Change of use from shop (Class A1) to restaurant (Class A3) and elevational alterations including improvements to canopy

Location: 128 Mauldeth Road, Withington, Manchester, M14 6SQ

Date of application: 28 September 2015

Application number: 109898/FO/2015/S1

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application, particularly in relation to the details of the location of any fence and the external appearance and the application has been determined in accordance with the policies within the Development Plan.

Condition(s) attached to this decision

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

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15-284 (22)003 PL2

15-284 (22)001 PL2

15-284 (16)001 PL4

15-284 (11)001 PL4

And e-mails received from NADA Architects on 16 November 2015, 24 November 2015 and 9 December 2015.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

- 3) Before the building hereby approved is first occupied, scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of health and safety and residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy

- 4) The premises shall not be open outside the following hours: 11.00 am to 11.00 pm, daily

Reason - In interests of residential amenity, pursuant to Policies SP1 and DM1 of the Core Strategy.

- 5) No loading or unloading shall be carried out on the site outside the hours of Monday to Saturday 7.30 am to 8.00 pm

No deliveries/waste collections etc on Sundays or Bank Holidays

Reason - In order to protect the amenity of local residents, pursuant to policies SP1 and DM1 of the Core Strategy.

- 6) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties, pursuant to Policies SP1 and DM1 of the Core Strategy.

- 7) Before any 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 premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to Policies SP1 and DM1 of the Core Strategy.

- 8) Use of the external seating area at the front of the premises shall cease at 10.00 pm daily. There shall be no amplified music or external speakers in use in the external seating area.

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Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies DM1 and SP1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Date: 11 December 2015

Signed:



Julie Roscoe
Head of Planning, Building Control & Licensing

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

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Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, bylaw, 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, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning 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 Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

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