

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

McDonalds Restaurants Ltd
11-59 High Road
East Finchley
London
N2 8AW

Agent (if used)

Mrs Sarah Carpenter
Planware Ltd
The Granary
37 Walnut Tree Lane
Sudbury
Suffolk
CO10 1BD

Part 1 – Particulars of the application/development

Proposal: Change of use from A1 - shop to Sui Generis (A3/A5) - restaurant/take away to include the installation of external mounted equipment.

Location: Basement, Ground Floor And First Floor, 11 - 13 Piccadilly, Manchester, M1 1LY

Date of application: 12 February 2015

Application number: 107543/FO/2014/C2

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 31 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application and the negotiation of amendments to the proposals including the provision of a passenger lift to all floors and alterations to the proposed opening hours.

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:

The site location plan stamped as received by the City Council as local planning authority on 2nd December 2014

The drawings referenced:

6146_AEW_8141_0006 rev F stamped as received by the City Council as local planning authority on 30th March 2015

6146_AEW_8141_0007 rev A (proposed only) stamped as received by the City Council as local planning authority on 2nd March 2015

MCD/SCH/1001, i:HAL01, 114169, A1-11221-04 and 7051/ M1020/ stamped as received by the City Council as local planning authority on 2nd December 2014

The report prepared by Loven Acoustics referenced LA/1412/01R/ML stamped as received by the City Council as local planning authority on 2nd December 2014

The Power Inverter Heat Pump specification sheets referenced PEA-RP-GA stamped as received by the City Council as local planning authority on 2nd December 2014

The Power Inverter Heat Pump and Wall Mounted System specification sheets referenced PKA-RP35HAL and R410A stamped as received by the City Council as local planning authority on 2nd December 2014

The Applied Acoustic Design specification sheets stamped as received by the City Council as local planning authority on 2nd December 2014

The sheet entitled 5-4. Noise Criterion Curves stamped as received by the City Council as local planning authority on 2nd December 2014

Sections 6, 7 and 8 of the Supporting Statement and Design and Access Statement stamped as received by the City Council as local planning authority on 12th February 2015

Sections 3.3 to 6.1.2 of the Crime Impact Statement stamped as received by the City Council as local planning authority on 6th February 2015

The Report in Support of Planning Application for a New Restaurant stamped as received by the City Council as local planning authority on 6th February 2015

The Management and Crime Prevention Statement stamped as received by the City Council as local planning authority on 6th February 2015

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EC1, EN1, EN3, C1, CC1, CC7, CC9, EN19, T2, CC10 and DM1 of the Core Strategy and saved policies DC10.1 to 10.4, DC14.2, DC18.1, DC19.1 and DC26 of the Unitary Development Plan.

3) The premises shall not be open outside the following hours:-

06:00 to 24:00 daily

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) No loading or unloading shall be carried out on the site outside the hours of:

07:30 to 22:00 Monday to Saturday

No loading or unloading shall be carried out on Sundays or Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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 in order to comply with policies SP1 and DM1 of the Core Strategy.

6) No development shall commence until a 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 order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policy DM1 and EN19 of the Core Strategy for the City of Manchester.

7) Before the use hereby approved commences the recommendations, plant and mitigation measures detailed within the report by Loven Acoustics referenced LA/1412/01R/ML and dated 10th November 2014 shall be implemented in full and maintained for the duration of the use hereby approved.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1 and SP1 of the Core Strategy and saved policy DC 26 of the Unitary Development Plan.

8) The details of an emergency telephone contact number for a person responsible for the site shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy, saved Unitary Development Plan policies DC26.1 and DC26.5.

9) The approved scheme to provide disabled access into and throughout the development shall be implemented in advance of the commencement of the use hereby approved. The measures as shown on the drawing referenced 6146_AEW_8141_0006 rev F stamped as received by the City Council as local planning authority on 30th March 2015 in addition to those detailed within section 8 of the Supporting Planning Statement and Design and Access Statement stamped as received by the City Council as local

planning authority on 12th February 2015 and The Report in Support of Planning Application for a New Restaurant stamped as received by the City Council as local planning authority on 6th February 2015; shall then be retained and operational for as long as the property is in use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of Policies SO5, SP1, CC5, CC10, T2 and DM1 of the Core Strategy for the City of Manchester and saved policy DC14.2 of the Unitary Development Plan for the City of Manchester.

10) The measures recommended within the Crime Impact Statement stamped as received by the City Council as local planning authority on 6th February 2015 shall be fully implemented on commencement of the use hereby approved and upheld for so long as the ground, first and second floors of the building are in use.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) The external alterations hereby approved shall be constructed to all relevant Secured by Design Standards, which shall be upheld for so long as the ground, first and second floors of the building are in use.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

12) The use hereby approved shall not commence unless and until a vehicular servicing statement, has been submitted to and approved in writing by the City Council as local planning authority. The measures within the approved statement shall be implemented prior to the commencement of the use and maintained for the duration of the use hereby approved.

Reason - To prevent a negative impact on the highway network in accordance with policies SP1, T1, T2 and DM1 of the Core Strategy.

Informatives

This permission does not grant approval under Building Regulations.

Date: 9 April 2015

Signed:



Julie Roscoe
Head 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 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, 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.

