

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

Mr Matthew Lake
Lock Up Bars Ltd
C/o Agent

Agent (if used)

Mr Ralph Taylor
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

Part 1 – Particulars of the application/development

Proposal: S73 amendment to application ref 123983/FO/2019 to amend condition 2 (Personal Permission names) and 3 (approved dwgs (layout))

Location: 1 Salmon Street, Manchester, M4 1AJ

Date of application: 13 April 2022

Application number: 133520/JO/2022

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. Further information was sought from officers during the application and amendments were made to the proposal. Appropriate conditions were attached to the decision to ensure an acceptable development with the agreement of the applicant.

Condition(s) attached to this decision

- 1) The development must be begun not later than 04-03-2023

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

- 2) The permission granted shall be personal to the applicant and named partners; Mr Matthew Lake; Mr James Murphy and Mr Lyndon Higginson, under the operating company 'Lock Up Bars Ltd

Should the premises no longer be occupied and operated in full by any person as clearly named above, the use for which permission is hereby granted shall be discontinued and the land shall return to the last established and lawful use of the land prior to this permission being implemented.

Reason - The City Council as local planning authority has had regard to the special circumstances of the applicant, and in these exceptional circumstances a personal permission is in the interests of protecting residential amenity, in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

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

Site Location Plan Drawing No. A100, stamped as received by the City Council as Local Planning Authority on 06 August 2019;

Drawings No. A101, A102, A107, A108, stamped as received by the City Council as Local Planning Authority on 06 August 2019;

Drawing WT - 01 - 05 - 02 'Plan Proposed Ground Floor Option 2' stamped as received by the City Council as Local Planning Authority on 13 April 2022;

Drawing WT - 01 - 06 'Plan Proposed 1st Floor' stamped as received by the City Council as Local Planning Authority on 13 April 2022;

Drawing WT - 01 - 07 'Plan Proposed 2nd Floor' stamped as received by the City Council as Local Planning Authority on 13 April 2022;

Drawing WT - 01 - 08 'Plan Proposed 3rd Floor' stamped as received by the City Council as Local Planning Authority on 13 April 2022;

Drawing No. A106 Revision B, stamped as received by the City Council as Local Planning Authority on 14 January 2020.

Design Statement, stamped as received by the City Council as Local Planning Authority on 24 January 2020.

Crime Impact Statement (Version A: 22/02/19, Reference 2019/0141/CIS/01), stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Dispersal Policy, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Operating Schedule, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Smoking Policy, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Waste Management Proforma, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Noise Impact Assessment, stamped as received by the City Council as Local Planning Authority on 30 October 2019.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EC1, EN1, EN3, EN19, CC1, CC4, CC5, CC7, CC9, CC10, C10, DM1 T1, and T2, of the Manchester Core Strategy and saved policies DC10.1 DC10.4, DC18, DC19 and DC26 of the Unitary Development Plan for the City of Manchester.

4) The premises shall operate in accordance with the submitted Noise Impact Assessment, stamped as received by the City Council as Local Planning Authority on 30 October 2019, and the premises shall play background music only. No live music is permitted within the premises.

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

5) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the recommendations within the approved Noise Impact Assessment, stamped as received by the City Council as Local Planning Authority on 30 October 2019.

The recommendations contained within the above report shall be implemented in full before the use commences.

b) Notwithstanding the approved plans and documents specified in condition 2 and the above part a, prior to the first use of the development a verification report will be required to be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met.

Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria. Any subsequent further approved mitigation measures submitted within the verification report shall be implemented in full prior to the first use of the development.

For the avoidance of doubt 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.

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

6) a) Notwithstanding the approved plans and documents specified in condition 2, any externally mounted ancillary equipment, plant and servicing shall be selected and/or

acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Prior to the first occupation of the development a scheme 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 site.

b) Notwithstanding the approved plans and documents specified in condition 2 and the above part a, prior to first occupation of the development a verification report will be required, to be submitted to and approved in writing by the City Council as local planning authority, to validate that the work undertaken confirms to the above noise criteria. The report shall give the results of post-completion testing to confirm that the proposed noise limits are being achieved once the equipment and any mitigation measures have been installed. Any instances of non-conformity with the above criteria shall be detailed along with any measures required to ensure compliance.

The approved report and any necessary mitigation measures shall be implemented, and retained thereafter, in full in accordance with the approved details before the first occupation of the development.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

7) The development hereby approved shall not operate outside the following hours:-
Monday to Friday 08:00 - 02:30
Saturday 08:00 - 03:30
Sundays and Bank Holidays 10:00 - 22:00

Reason - In the interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

8) Notwithstanding the approved plans and documents specified in condition 2, prior to the first operation of the development the management, operation and security measures set out within the following submitted documents:

Crime Impact Statement (Version A: 22/02/19, Reference 2019/0141/CIS/01), stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Dispersal Policy, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Operating Schedule, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Smoking Policy, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

shall be fully implemented and operational prior to first occupation, and such measures shall be retained and maintained thereafter while the use is in operation.

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 National Planning Policy Framework.

9) a) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

07:30 to 20:00, Monday to Saturday,

10:00 to 18:00 Sunday/Bank Holidays.

b) Notwithstanding part a, the waste management strategy shall be fully implemented and operated in accordance with the approved documents:

Drawing No. A107, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Drawing No. A103 Revision B, stamped as received by the City Council as Local Planning Authority on 05 March 2020.

Waste Management Proforma, stamped as received by the City Council as Local Planning Authority on 06 August 2019.

Reason: In the interests of public and highway safety and the protection of residential amenity, pursuant to policies DM1 and T1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

10) Cooking at the premises shall be limited to cold foods and no primary cooking (electric/gas powered ovens or stoves), or the frying or deep frying of food products is permitted at the premises.

Reason: In order to protect neighbouring residential amenity in regard to noise, fumes and odours, pursuant to policies DM1 of the Manchester Core Strategy and policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC10.1, DC10.4 and DC26 of the Unitary Development Plan for the City of Manchester.

11) Prior to the use first commencing the details regarding internal bicycle storage submitted shall be fully implemented, retained and permanently reserved for bicycle parking in accordance with the following documents:

Drawing No. A103 Revision B, stamped as received by the City Council as Local Planning Authority on 05 March 2020.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to transport mode, pursuant to policies SP1, T1 and T2 of the Manchester Core Strategy.

12) Notwithstanding the approved plans and documents, prior to the first occupation of the development hereby approved disabled access provision shall be fully implemented in accordance with the submitted and approved documents:

Drawing No. A106 Revision B, stamped as received by the City Council as Local Planning Authority on 14 January 2020.

The disabled access provisions shall be retained thereafter in perpetuity while the development is in operation.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policy SP1, DM1 and CC1 of the Manchester Core Strategy.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 25 May 2022

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 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 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/planning-inspectorate . The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 their 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.