



Planning MCC <planning@manchester.gov.uk>

Re: 126079/FO/2020 - 1044 Stockport Road

1 message

Ian Jarvis <i.jarvis@manchester.gov.uk>

3 September 2020 at 07:41

To: Planning MCC <planning@manchester.gov.uk>

Cc: Sue Wills <s.wills@manchester.gov.uk>, Kath Rowbotham <k.rowbotham@manchester.gov.uk>

I have spoken with Sue.

Please can the email be put on public access and a 7 day re-notification to neighbours take place due to amended hours.

If possible, please can the neighbour re-notification take place, so we can deal with it by the application target date of next Friday.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

On Wed, 2 Sep 2020 at 09:54, Planning MCC <planning@manchester.gov.uk> wrote:

Sue

See this re-consultation request from Ian, is the email sufficient or would you want a revised form to do the re-consultation?

Technical Support Team (Planning)
Planning, Building Control & Licensing
Growth & Development Directorate
Postal address: Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA
Location address: Level 6 Town Hall Extension, Manchester M2 5DB
Tel: 0161 234 4516

Please consider the environment before printing an e-mail.

----- Forwarded message -----

From: **Ian Jarvis** <i.jarvis@manchester.gov.uk>
Date: Tue, 1 Sep 2020 at 07:53
Subject: Fwd: 126079/FO/2020 - 1044 Stockport Road
To: Planning MCC <planning.tst@manchester.gov.uk>

Please can the attached plan be added to the public access record for the above.

The proposed hours have also changed from the original submission, but he was not able to change the form and has just confirmed the change by email.

Is this sufficient for us to send out a new neighbour letter or do I need something else from the applicant?

If it is sufficient please can we send out a new 7 day letter to residents.

Regards

Ian Jarvis
Planner,
Development Management North

Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

----- Forwarded message -----

From: **Oddie** <odran.mcclintock@gmail.com>
Date: Wed, 26 Aug 2020 at 15:41
Subject: Re: 126079/FO/2020 - 1044 Stockport Road
To: Ian Jarvis <i.jarvis@manchester.gov.uk>
Cc: Sue Wills <s.wills@manchester.gov.uk>

Ian,

Clearly we would like the times at the rear to correspond with the front. We're unable to revise the times correctly on the planning portal for the application as individual days are not available to amend.

Please accept this email as confirmation of the opening hours for the rear of the property which are to match exactly with the existing opening hours of the front, as per point 3 as written in your email.

You'll find this corresponds with what is detailed in the Lighthouse acoustics letter which I've re-attached.

We emailed on 16th July to continue with this application, but it's taken till 25th August for you to highlight the changes that are required, therefore we would appreciate your prompt response to confirm acceptance of the above.

Thanks
Odran

On 25 Aug 2020, at 12:57, Ian Jarvis <i.jarvis@manchester.gov.uk> wrote:

Odran,

We have been attempting to bring this matter to a conclusion and relate your applications together. However, we have noticed an inconsistency. Your permission for the main building now includes the following condition:

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

Sunday to Thursday: 9.00 am to 11.30 pm

Friday and Saturday: 9.00 am to 12.30 am

The external areas as shown on drawing ref: Drawing Two Proposed Layout received 4 September 2018 should only operate between:

Monday to Sunday: 9.00 am to 10.00 pm (incl. Bank Holidays).

However, notwithstanding comments made in relation to your other applications, the application form for your application for the extension (126079/FO/2020), and the accompanying acoustic statement, indicates the following hours:

Sunday to Friday 9.00am to 11.00pm

Saturday 9.00am to midnight

The application has therefore been assessed on that basis, with neighbours and Environmental Health notified of the hours indicated in your application form. Should permission be granted, for the extension, these are the maximum hours of use that could be granted..

Should you wish the extension to have the same hours as the main building, you would therefore need to submit a revised form indicating the approved times for the main building, or you could have a situation where the extension would need to close before the main building. You would also need to formally submit the letter from Lighthouse Acoustics, dated 20 May 2020, as part of this application, so that your acoustic report relates to the hours proposed for the extension.

If you wish to submit a revised application form you should also request a further extension of time, of 3 weeks to allow these re-consultations to take place.

Please notify me of your intentions by Thursday 27 August 2020.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

On Thu, 13 Aug 2020 at 15:01, Oddie <odran.mcclintock@gmail.com> wrote:

Hi Ian,

Can you please accept this email as an extension request as per your below instruction.

Thanks
Odran

On 13 Aug 2020, at 11:00, Ian Jarvis <i.jarvis@manchester.gov.uk> wrote:

Odran,

Thank you for your emails.

Given the time that has passed we needed to do a re-notification of neighbours about this application.

We are aiming to deal with this by Friday 28 August 2020. Please could you therefore request an extension of time to determine the application to this date.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

On Thu, 16 Jul 2020 at 12:17, Oddie <odran.mcclintock@gmail.com> wrote:

Hi Ian,

I just wanted to pick up from we left off from the below email and the application 126079/FO/2020.

We have had our outstanding conditions now discharged (CDN/20/0296) plus we have had approval for the change in hours (126827/JO/2020).

Can you let me know when the application 126079/FO/2020 is to be decided?

Thanks
Oddie

On 15 Apr 2020, at 14:59, Ian Jarvis <i.jarvis@manchester.gov.uk> wrote:

Odran,

I refer to our previous correspondence regarding the above.

Notwithstanding that we have been working with you, on this proposal, I am writing to inform you that we will not now be able to progress your application at this time.

The reason for this is that your previous application for a cafe/bar at the property (121064/FO/2018), was subject to a condition which required discharge prior to the use commencing and 4 further conditions which required discharging within one month of the use commencing (I have reproduced these conditions below for your information).

I can find no record that these conditions have ever been discharged, or that an application was made to discharge these conditions. The result of this is that your existing cafe/bar use is not authorised, and an extension to that use cannot therefore be considered until that is rectified.

Your options are therefore:

- a) You withdraw the current application and make a condition discharge application in relation to the 5 conditions below, and when these conditions are formally discharged, you can resubmit your application for the extended area.
- or
- b) You withdraw the current application and make a new application, for the whole site, containing all the required information. This means that you would make an application to change the use of the whole ground floor (existing cafe area and existing storage area) and you would need to submit all the required reports, such as acoustics, and information to satisfy all the conditions listed below (i.e. we would not be looking to reapply these conditions and would want the required details up front).

In addition, I would remind you of the hours condition on your original permission, which states the following:

The premises shall not be open outside the following hours:
Monday to Thursday: 9.00 am - 11.00 pm Friday and Saturday 9.00 am - 12.30 am (with an additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve, Boxing Day, New Year's Eve and Halloween).
The external areas as shown on drawing ref: Drawing Two Proposed Layout received 4 September 2018 should only operate between:
Monday to Sunday: 9.00 am and 10.00 pm (incl. Bank Holidays).

These are the hours that you applied for, and mean that you are not allowed to open the internal cafe/bar area on a Sunday. Your current submission though, with use of the extended area on a Sunday, would suggest that the premises were operating on a Sunday, which was a further breach of the planning permission.

If you wish to operate on a Sunday this should be addressed in your new application, should you choose option (b) above. If you choose option (a), at the time you make your condition discharge application, you would also need to make an application to vary the opening hours of the existing cafe/bar, as failure to do this is likely to mean that Sunday operation would also not be allowed in any future permission granted in the extended area.

I hope this email provides a clear understanding, as to why we cannot progress your current submission, but if you have any questions, please let me know.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square

PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

Conditions

5. Within one month of the planning permission hereby granted, a scheme for the management of the external forecourt area shall be submitted to and approved in writing by the City Council as local planning authority. This shall include arrangements for the cessation of external eating and drinking outside the hours permitted by condition 3, the transit of refuse including glass bottles outside the authorised trading hours, the storage of tables, chairs and any other movable items a secure storage area (or within the building) when the premises are closed and arrangements for the clearing and cleaning the pavement area at the end of business.

8. The development hereby approved shall be undertaken in accordance with the submitted waste management strategy comprising: Business Plan Description received 22 August 2018; Waste Management Proforma received 2 July 2018; Proposed Description of the Development (page 3) received 4 September 2018 and Drawing Four Waste Management Plan received 4 September 2018 upon first commencement of the authorised use. Notwithstanding the above, before the commencement of the authorised use, details of a waste collection contract shall be submitted to and approved in writing by the City Council as local planning authority. The details of the agreed scheme shall be implemented upon commencement of the authorised use and maintained in situ thereafter.

12. Within one month of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing arrangements for the day-time opening and closure of existing ground floor roller shutters. The development shall be undertaken in accordance with the approved details to a timescale agreed in writing by the City Council as local planning authority and maintained in situ thereafter.

14. Within one month of the planning permission hereby granted, details of the provision of cycle storage, including details of its siting specification and appearance shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be fully implemented upon commencement of the authorised use and maintained in situ thereafter.

15. Within one month of the planning permission hereby granted, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the arrangements for the servicing the application site, including the undertaking of deliveries and collection of waste and management of associated vehicle movement. The development shall be undertaken in accordance with the approved scheme, which shall remain in situ thereafter.

On Thu, 9 Apr 2020 at 11:09, Oddie <odran.mcclintock@gmail.com> wrote:

Hi Ian,

I can confirm agreement with this condition.

Thanks
Odran

On 9 Apr 2020, at 11:08, Ian Jarvis
<i.jarvis@manchester.gov.uk> wrote:

Odran,

Thanks for your email.

Environmental Health Officers have accepted the proposals outlined in your email, and a revised acoustic condition is now proposed:

The development hereby approved shall be fully implemented in accordance with points 8.8 and 9.0 of the submitted document referenced Acoustic Planning Report 0441/APR1, dated 21 September 2018, by Lighthouse Acoustics received 24 September 2018. Any mitigation or noise management recommendations contained within points 8.8 and 9.0 of the report shall be implemented prior to the first use of the extended cafe/bar area and maintained in situ thereafter.

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 policy DC26 of the Unitary Development Plan for the City of Manchester.

Please can you confirm your agreement to this condition.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

On Wed, 8 Apr 2020 at 13:08, Oddie
<odran.mcclintock@gmail.com> wrote:

Hi Ian,

Please find our original report for reference for the below points:

We have already introduced the measure recommended on 8.7. This was to reduce sound impact on the flats situated directly above Front 1044 (specifically through our ceiling and their floor). The rear of the property, which we are proposing to extend into has a concrete block and beam ceiling covered with a pitched roof, and so there are no residents directly connected to the space - we don't see any legitimate need for this measure to be replicated in the rear portion of the building.

However we would be happy and willing to replicate the measures outlined in points 8.8 and 9 in the rear section to reduce any effects on other residents in the nearby areas.

With regards to the opening hours we would like the rear property to run in line with the existing hours permitted at the front - please see attached a copy of our license for details. Perhaps we entered some times incorrectly on the planning application. Is it possible to have them adjusted to match the front please?

Best
Odran

On 8 Apr 2020, at 09:07, Ian Jarvis
<i.jarvis@manchester.gov.uk> wrote:

Odran,

I write further to my email of this morning.

As it stands, without the acoustic control condition, the application cannot be supported and the application is due for determination tomorrow. I previously indicated that you should provide a response by the end of the day, but if you need more time, to consider your options, you can request an extension of time, to determine the application. If so, you should request this in writing and specify the new determination date requested (i would suggest 2 weeks),

The discharge of any planning condition would need assessment by Environmental Health Officers, but it could be the case that replicating the acoustic measures employed in the existing cafe/bar, in the extended area, may be sufficient.

Also, in relation to hours of operation, I would clarify that the application has been assessed on the information provided on your application form, in which you specified opening hours of:
9am to 11pm - Sunday to Thursday
9am to midnight - Friday and Saturday.

Your approval, in the existing cafe/bar allows closing at 12.30 am on Friday and Saturday, and certain dates. If you intended to seek the same hours, in the extended area, this would need to be reassessed by Environmental Health.

If you wish to present any further details/clarification, for assessment by Environmental Health, before a decision is issued, I would again suggest that you seek a 2 week extension of time, to allow this to take place.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

----- Forwarded message -----

From: **Ian Jarvis** <i.jarvis@manchester.gov.uk>
Date: Wed, 8 Apr 2020 at 07:49
Subject: Re: Pre-commencement conditions for

application 126079/FO/2020
To: Oddie <odran.mcclintock@gmail.com>

Odran,

Thank you for your email.

As you are aware your previous permission included a condition requiring noise control measures, which you acknowledged that you have implemented.

In this case the condition is recommended by Environmental Health Officers and, whilst I note what you say, about residents living above nearby commercial premises, there is still the potential for noise breakout, from the proposed extended bar/cafe area. This part of the building is also closer to properties on Pascal Street and there is also the potential for disturbance to the occupiers of those properties.

The condition does not require details to be submitted at this time, but would require the information to be submitted, and approved, prior to the extended area first being used, as a cafe/bar.

I will review your comments with my manager, but without this condition, and subsequent acoustic control measures, it is highly unlikely that your application can be supported.

If you wish to accept the condition, please let me know by the end of the day, or the application will be determined accordingly.

I would also advise you that the maximum hours of operation that can be supported in this extended area are those indicated in your application form (i.e. 11pm closing on Sunday to Thursday and midnight closing on Friday and Saturday). This is slightly less than the hours allowed in the current cafe/bar area authorised by planning permission ref:121064/FO/2018. Please can you also confirm your understanding that any permission granted would relate to the hours specified on your application form.

Regards

Ian Jarvis
Planner,
Development Management North
Growth and Development
Manchester City Council
Floor 6 Town Hall Extension
Albert Square
PO Box 532
Manchester
M60 2LA
email : i.jarvis@manchester.gov.uk
<http://www.manchester.gov.uk>

I am currently only contactable via email. For urgent matters please contact the team manager, Sue Wills, on 07788978633.

On Tue, 7 Apr 2020 at 21:36, Oddie
<odran.mcclintock@gmail.com> wrote:
Hi Ian,

I'm a little baffled by this condition and I do not agree with it being imposed.

It's clear from reading the policies that the affect of noise on the environment & residents is important and we fully appreciate this - but can you outline how MCC draws the line in terms of distance & impact so we know what and where we would hypothetically need to measure? As we have already mentioned the only adjoining neighbour is ourselves and the flats above Front 1044 and we have already implemented substantial acoustic impact solutions, as stipulated, to prevent any noise disturbance to those residents...so who else/which other properties do we need to consider? This would aid us in understanding exactly what you are looking for. As such, having spoken with the sound engineer they feel they are not currently able to assist us with a noise survey at present.

We look to hearing from you at your earliest convenience,

Best
Odran

On 6 Apr 2020, at 15:02,
i.jarvis@manchester.gov.uk
wrote:

Please find attached a letter regarding pre-commencement conditions in relation to your recent application under reference 126079/FO/2020.

Regards,
Ian Jarvis
Planning, Manchester City
Council, P O Box 532,
Manchester M60 2LA

--

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is available at www.manchester.gov.uk/emaildisclaimer <<http://www.manchester.gov.uk/emaildisclaimer>>.

Your personal data is very important to us. Please refer to

our privacy notice at
www.manchester.gov.uk/privacy
<<http://www.manchester.gov.uk/privacy>> for
further information.

This footnote also confirms that
this email message
has been swept for the
presence of computer viruses.

<ufm2.pdf>

This email and any files transmitted with it are confidential and
intended solely for the use of the individual or entity to whom they
are addressed. If you have received this email in error please notify
the system manager. The full text of the Council's email disclaimer is
available at www.manchester.gov.uk/emaildisclaimer.

Your personal data is very important to us. Please refer to our
privacy notice at www.manchester.gov.uk/privacy for further
information.

This footnote also confirms that this email message has been swept
for the presence of computer viruses.

This email and any files transmitted with it are confidential and intended solely for the use
of the individual or entity to whom they are addressed. If you have received this email in
error please notify the system manager. The full text of the Council's email disclaimer is
available at www.manchester.gov.uk/emaildisclaimer.

Your personal data is very important to us. Please refer to our privacy notice at
www.manchester.gov.uk/privacy for further information.

This footnote also confirms that this email message has been swept for the presence of
computer viruses.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or
entity to whom they are addressed. If you have received this email in error please notify the system manager. The
full text of the Council's email disclaimer is available at www.manchester.gov.uk/emaildisclaimer.

Your personal data is very important to us. Please refer to our privacy notice at www.manchester.gov.uk/privacy
for further information.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are
addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is
available at www.manchester.gov.uk/emaildisclaimer.

Your personal data is very important to us. Please refer to our privacy notice at www.manchester.gov.uk/privacy for further
information.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is available at www.manchester.gov.uk/emaildisclaimer.

Your personal data is very important to us. Please refer to our privacy notice at www.manchester.gov.uk/privacy for further information.

This footnote also confirms that this email message has been swept for the presence of computer viruses.
