MANCHESTER CITY COUNCIL

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

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr Jonathan Oswald
9 Farwood Close
Manchester
M16 9DQ

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Creation of outisde seating area with associated means of enclosure for a temporary period of 12 months

Location: 44 Blossom Street, Manchester, M4 6BF

Date of application: 13 June 2019

Application number: 123845/FO/2019

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the agent in a positive and proactive manner by requesting further information relating to the scheme and appropriate conditions to the approval have also been attached.

Condition(s) attached to this decision

1) The permission hereby granted is for a limited period of 12 months only, expiring on 08 August 2020.

Reason - In order to assess the suitability of the external seating areas given the ongoing changes and regeneration occurring within the Ancoats Urban Village area and in the interests of residential amenity and highway and pedestrian safety, pursuant to policy DM1 of the Core Strategy.

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

- Location Plan drawing no. 0213-SEW-EX-0000 stamped and received by the City Council as Local Planning Authority on 07 June 2019.
- Proposed Pavement Arrangement drawing no. 217 stamped and received by the City Council as Local Planning Authority on 07 June 2019.
-Exterior Elevation drawing no. 216 stamped and received by the City Council as Local Planning Authority on 07 June 2019.
-Covering Letter dated 24 April 2109 stamped and received by the City Council as Local Planning Authority on 07 June 2019.

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) The outside seating area shall not be open outside the following hours:-

Monday to Sunday 12:00 hrs to 21:00 hrs (including bank holidays).

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) There will be no playing of live or amplified music in the outside seating area.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1, C10 and DM1 of the Core Strategy and saved Unitary Development Plan policies DC10 and DC26.

5) The location for the external tables and chairs hereby permitted, shall be limited to that shown on approved drawing 'Proposed Pavement Arrangement drawing no. 217' stamped and received by the City Council as Local Planning Authority on 07 June 2019. The external seating area shall contain no more than 16 covers (3 tables, 8 benches) and shall be barriered as shown on approved drawing 'Exterior Elevation drawing no. 216' stamped and received by the City Council as Local Planning Authority on 07 June 2019.

Reason - In the interests of residential amenity, and the operation of the highway, pursuant to saved policies DC22 and DC10 of the Unitary Development Plan, and policy DM1 of Manchester's Core Strategy.

6) The tables and chairs and barriers associated with the outside seating area, as indicated on Proposed Pavement Arrangement drawing no. 217 stamped and received by the City Council as Local Planning Authority on 07 June 2019., shall be removed and stored internal to the premises when the outside seating area is not in use in accordance with the permitted opening hours within condition 3.

Reason - In the interest of the safety and security, pursuant to saved policies DC10, DC18 & DC26 of the Manchester City Councils Unitary Development Plan and policy DM1, EN1, EN3 & SP1 of Manchester's Local Development Framework: 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: 5 August 2019

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 of 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.

Appendix A

The Coal Authority

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Telephone: 01623 637 119
Email: planningconsultation@coal.gov.uk
Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

This Standing Advice is valid from 1st January 2019 until 31st December 2020