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

Bills Restaurants Ltd
95 Aldwych
London
WC2B 4JF

Agent (if used)

Miss Kerry Walker
Pegasus Group
Suite 4b
113 Portland Street
Manchester
M1 6DW

Part 1 – Particulars of the application/development

Proposal: Use of land for outside seating area in connection with Unit 3, 3 Hardman Square, including the placement of tables, chairs, planters and outdoor furniture.

Location: Land Opposite Unit 3, 3 Hardman Square, Manchester, M3 3EB

Date of application: 16 August 2019

Application number: 124493/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

Officers will work in a positive and pro-active manner based on seeking solutions to problems arising in relation to dealing with the planning application. No problems arose in the processing of this application.

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 implemented in accordance with the following specified plans and documents:

BL004.19.P400 Revision A Location Plan
BL004.19.P401 Revision A Block Plan

BL004.19.P501 Revision A Site Plan
BI004.19.310 Revision B External Seating Elevations
BI004.19.311 Revision B External Seating Elevations
BI004.19.312 Revision B External Seating Sections
Furniture Spec received by the City Council as local planning authority on 9 August 2019, as amended by the image of the round backed chair received by the City Council as local planning authority on 7 October 2019;
The Management Strategy and Security Arrangements contained within the Pegasus Group covering letter dated 9 August 2019; and
Point 2 of the email from Kerry Walker of Pegasus Group to Manchester City Council Planning dated 16 August 2019.

Reason - To ensure the development is carried out in accordance with the specified plans, in accordance with Core Strategy Policies DM1 (Development Management) and SP1 (Spatial Principles).

3) The external seating area hereby approved shall not be used outside the following hours:

0800 to 2300 hours daily

Reason - To ensure an acceptable development, and in the interests of residential amenity and security, pursuant to the submitted Management Strategy for the external seating area and policy DM1 of the Core Strategy.

4) No chairs or tables shall remain in the external seating area outside the hours of 0800-2300 hours daily. They shall be stored inside the premises in accordance with the submitted Management Strategy.

Reason - To ensure an acceptable development, and in the interests of residential amenity and security, pursuant to the submitted Management Strategy for the external seating area and policy DM1 of the Core Strategy.

5) No amplified music or sound shall be played in the external seating area.

Reason - To ensure an acceptable development, and in the interests of residential amenity and security, pursuant to the submitted Management Strategy for the external seating area and policy DM1 of the Core Strategy.

6) The location for the external tables and chairs hereby permitted shall be limited to that shown on the approved plans stated in condition 2. For the avoidance of doubt, the seating area shall contain no more than 14 tables, with the tables seating a maximum of 28 people.

Reason - In the interests of amenity, pursuant to policy DM1 of the 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: 10 October 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