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

ASE RE A LLP and Federal Cafe Ltd
C/o Agent

Agent (if used)

Miss Hannah Payne
Indigo Planning
Eighth Floor St James Tower
7 Charlotte Street
Manchester
M1 4DZ

Part 1 – Particulars of the application/development

Proposal: Change of Use from takeaway (Use Class A5) to cafe (Use Class A3), internal alterations, replacement glazing / shopfront and installation of fume and kitchen ventilation equipment.

Location: Royal London House , 194 Deansgate, Manchester, M3 3NE

Date of application: 4 September 2018

Application number: 120990/FO/2018

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

Discussions have taken place with the applicant in a positive and proactive manner to seek resolution of issues arising in relation to dealing with the planning application. Initial concerns have been addressed in a satisfactory manner.

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, all date stamped 11th April 2014 by the City Council, as local planning authority:

Location Plan (Dwg ref: L(-1)000), showing site edged red, submitted 14 August 2018
Ground floor plan as existing (Dwg ref: L(-2)000) submitted 14 August 2018
Ground floor plan as proposed (Dwg ref: L(-2)001) submitted 14 August 2018
Ground floor alterations (Dwg ref: L(-2)002) submitted 14 August 2018
Landlord repair works photo location diagram (Dwg ref: L(-2)003) submitted 14 August 2018
Section AA, BB as existing (Dwg ref: L(-3)000) submitted 14 August 2018
Section CC, DD as existing (Dwg ref: L(-3)001) submitted 14 August 2018
Section AA, BB as proposed (Dwg ref: L(-3)010) submitted 14 August 2018
Section CC, DD as proposed (Dwg ref: L(-3)011) submitted 14 August 2018
Shop front section existing and proposed (Dwg ref: L(-3)020) submitted 14 August 2018
Elevations as existing/proposed (Dwg ref: L(-4)001) submitted 14 August 2018
Reflected Ceiling Plans as existing/proposed (Dwg ref: L(35)001) submitted 14 August 2018
Electrical reflected Ceiling Plan as proposed (Dwg ref: L(35)002) submitted 14 August 2018
Ground Floor Finishes Plan as proposed (Dwg ref: L(43)001) submitted 14 August 2018
Fire Rate Door Component (Dwg ref: L(73)001) submitted 14 August 2018

Schedule of Works/Materials Schedule (August 2018) submitted 14 August 2018
Schedule of Landlord works submitted 4 September 2018
Landlord repair works photographic schedule (August 2018) submitted 14 August 2018

Noise Impact Assessment (Ref: 25513/NIA1) submitted 14 August 2018
External Signage as proposed (Dwg ref: L(73)002) submitted 4 September 2018
Cooking strategy submitted 4 September 2018
Design and Access Statement submitted 4 September 2018
Planning and Heritage Statement submitted 4 September 2018
Proposed Roof Light section (Dwg ref: A(-1)001) submitted 24 October 2018

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy RC4 (Environment), and DC19.1 (Listed Buildings) contained with the Unitary Development Plan for the City of Manchester, Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

3) No external seating areas are permitted as part of this consent.

Reason - To ensure that the proposed development is carried out in an acceptable manner in the interests of the amenities of the area, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy and section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

4) No external works, including replacement of glazing and shopfronts shall take place unless and until full details have been submitted to, and approved in writing by the City Council, as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

5) Before development commences or within a timescale as otherwise agreed in writing by the City Council, details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Core Strategy.

6) Prior to the commencment of the use, a schedule of opening hours shall be submitted to, and approved in writing by, the City Council, as local planning authority.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policy DM1 (Development Management) of the Core Strategy.

7) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 (Development Management) of the Core Strategy.

8) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences; any works approved shall be implemented before the use commences.

Reason - In the interests of the amenities of occupiers of nearby properties, pursuant to policy DM1 (Development Management) of the Core Strategy.
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9) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. Noise shall be restricted to background music only. The scheme shall be implemented in full before the use commences.

Where background 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 the nearest 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 - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policy DM1 (Development Management) of the Core Strategy.

10) Externally mounted ancillary plant, equipment 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.

The scheme shall be submitted to, and approved in writing by, the City Council as local planning authority, before the use commences, in order to secure a reduction in the level of noise emanating from the site.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policy DM1 (Development Management) of the Core Strategy.
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11) Prior to first occupation of the premises, a post completion noise report, to include sound testing and inspection of the premises to ensure that the required acoustic improvements have taken place and also to ensure that the proposed limiting levels do not exceed noise criteria, shall be submitted to, and approved in writing by, the City Council, as local planning authority.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policy DM1 (Development Management) of the Core Strategy.

12) The approved scheme for the storage and disposal of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 (Development Management) 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: 30 October 2018

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, 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/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

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 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.

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 2017 until 31st December 2018