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

NPV Manchester Ltd
C/o Agent

Agent (if used)

Miss Rachel Jones
HOW Planning
40 Peter Street
Manchester
M2 5GP

Part 1 – Particulars of the application/development

Proposal: Change of Use of ground floor from office (Use Class A2) to drinking establishment (Use Class A4) together with installation of 2 no. air conditioning units on roof

Location: 60 Spring Gardens, Manchester, M2 2BQ

Date of application: 8 December 2016

Application number: 114733/FO/2016

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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:

Drawings

PD-ROC117-003 Rev C, received via email on 23 January 2017

PD-ROC-PL004 Rev E, received via email on 6 February 2017

PD-ROC-PLL Rev A, received via email on 23 January 2017

PD-ROC-PL007 Rev B
PD-ROC-PL005 Rev A
PD-ROC-PL006 Rev B
PD-ROC-PL009 Rev A

all stamped as received by the Local Planning Authority on 8 December 2016, as amended by drawing PD-ROC-PL004 Rev E as above which includes for a sound lobby at the corner entrance

PD-ROC-PL010 Rev B, received via email on 23 January 2017, as amended by drawing PD-ROC-PL004 Rev E as above which includes for a sound lobby at the corner entrance

5019-XX-ZZ-MEPH-M-01 Rev P2
5019-XX-ZZ-MEPH-M-02 Rev P1
5019-XX-ZZ-MEPH-M-03 Rev P1
AS556-02

all stamped as received by the Local Planning Authority on 8 December 2016

The submitted Noise Impact Assessment by Fisher Acoustics dated November 2016, ref. PR0565-REP01-MPF, as amended by:
- Point 1 of the agent's email of 27 January 2017 with regard to a response to the EHO's comments about noise and acoustic insulation
- The agent's email of 2 February 2017 with regard to the installation of a sound limiter on the music system

The agent's email of 30 January 2017 with regard to cycle parking being available in the basement and a servicing plan for the building

The submitted waste management strategy

Section 3.3 and Section 4 of the submitted Crime Impact Statement, ref. 2016/0863/CIS/01 dated 8 November 2016

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 premises shall not be open outside the following hours:-

07.00 to 01.00 Monday to Wednesday
07.00 to 02.00 on Thursdays
07.00 to 03.00 on Fridays
08.00 to 03.00 on Saturdays
09.00 to 22.00 on Sundays

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) 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 on Sundays and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy DM1 of the Manchester Core Strategy.

5) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the following:

The submitted Noise Impact Assessment by Fisher Acoustics dated November 2016, ref. PR0565-REP01-MPF, as amended by:
- Point 1 of the agent's email of 27 January 2017 with regard to a response to the EHO's comments about noise and acoustic insulation
- The agent's email of 2 February 20217 with regard to the installation of a sound limiter on the music system

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.

Upon completion of the development, a report will be required to confirm that the recommended mitigation measures have all been adopted into the development and that the maximum sound levels provided within the submitted information have been set and not exceeding the limits provided throughout the octave band frequencies.

Reason - To protect 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 February 2017

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