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 of £97 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

A Sweet Thought LLP
812 Wilmslow Road
Didsbury
Manchester
M20 6UH

Agent (if used)

M J Minahan
Minahan Hirst & Co
33 Station Road
Cheadle Hulme
Cheadle
SK8 5AF

Part 1 Particulars of the application/development

Proposal: Variation of condition no. 3, attached to planning permission 092573/FO/2010/S2, to allow the Class A1 retail unit to open between 09:00 - 18:30 Monday to Saturday and 10:00 - 17:00 Sunday and Bank Holidays

Location: 812 Wilmslow Road, Didsbury, Manchester, M20 6UH

Date of application: 21 February 2013

Application number: 101662/JO/2013/S2

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 31 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

Reason(s) for decision

On the basis that the proposal is in accordance with the City Council's Core Strategy Development Plan Document and there are no material considerations of sufficient weight to indicate otherwise:

Policy DM1, the proposal complies with this policy as the development will not have a detrimental impact upon the levels of residential amenity enjoyed by local residents.

Condition(s) attached to this decision

0) It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 092573/FO/2010/S2. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 092573/FO/2010/S2 still apply to this development. However, due to the acceptance of the variations proposed, the following amended text now applies to the following condition.

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

Restaurant and take-away (sui generis)

Monday to Friday - 1100hrs to 2200hrs
Saturday - 1200hrs to 2200hrs
Sunday and Bank Holidays - 1230 hrs to 2030hrs

Retail unit (Class A1)

Monday to Saturday - 0900hrs to 1830hrs
Sunday and Bank Holidays - 1000hrs to 1700hrs

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policy DM1 in the Core Strategy Development Plan Document.

Informatives

This permission does not grant approval under Building Regulations.

Date: 18 April 2013

Signed: 

Julie Roscoe
Head of Planning
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, he may appeal to the First 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 Appeals area of the Planning Portal www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

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 First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he 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 First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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 First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.