MANCHESTER CITY COUNCIL

IMPORTANT

Planning Permission and 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 required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- 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.
- For advice on any of these matters, please contact the Planning Service, Manchester City Council, PO Box 463, Manchester M60 3NY or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant	Name and Address of Agent
Cornerhouse - Ms Pat Raikes 70 Oxford Road Manchester M1 5NH	Arca Carvers Warehouse 77 Dale Street Manchester M1 2HG

Part I – Particulars of Application

Date of Application	Application ref. no.
14 April 2008	086267/FO/2008/C3

Particulars and location of development:

Change of use of top floor to flexible entertainment space, including use as education space, art gallery and overflow from existing bar at 70 Oxford Road (Sui Generis). Refurbishment of office accommodation at basement, ground and first floors and creation of new extension to form link with 70 Oxford Road

5 James Leigh Street
Manchester
M1 5NH

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved
On the basis that the proposal is in accordance with the City Council's Unitary Development Plan in particular Policies DC9.1, DC19.1 and RC3 and there are no material considerations of sufficient weight to indicate otherwise.
Date of Decision 9 June 2008

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

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 unless otherwise agreed in writing by the City Council as Local Planning Authority:

Drawing number CHMLD0000A, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0001C, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0002A, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CMHLD0203G, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0202C, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0201C, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0200C, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0208A, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0223-, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0222B, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0220D, stamped as received by the Local Planning Authority on 20 May 2008
Drawing number CHMLD0221D, stamped as received by the Local Planning Authority on 20 May 2008
Drawing number CHMLD0240A, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0242A, stamped as received by the Local Planning Authority on 28 March 2008
Drawing number CHMLD0243A, stamped as received by the Local Planning Authority on 28 March 2008
Acoustic report, prepared by Azymuth Acoustics, stamped as received by the Local Planning Authority on 28 March 2008
Design & Access Statement, stamped as received by the Local Planning Authority on 31 March 2008
Email received from Mike Riley on 27/05/2008 15:26
Email received from Mike Riley on 27/05/2008 10:04
Email received from Alastair Ogle on 06/06/2008 16:06

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DC19.1 of the Manchester Unitary Development Plan.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only

using the approved materials unless otherwise agreed 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 policy DC19.1 of the Unitary Development Plan for the City of Manchester.

4) No loading or unloading shall be carried out on the site outside the hours of Mon - Sat, 07:30 - 12:00; 10:00 - 12:00 Sun, Bank Hols daily.

Reason - In order to protect the amenity of local residents and in accordance with Policy H2.2 in accordance with the Unitary Development plan for the City of Manchester.

5) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Mon-Sun 06:30 - 01:00hrs

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

6) No development shall commence until 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.

Signed………

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,
Manchester M60 3NY

NOTES

1. Leaflets attached:

2. 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**.**

3. 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.

4. 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.

5. 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

6. 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.