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.
- A fee of £85 is payable for each request to discharge conditions.
- 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 |
|---|---|
| Mr Peter Dalton | Architecture M Chartered Architects |
| The Horse And Jockey P.H.<br>9 Chorlton Green<br>Chorlton<br>Manchester<br>M21 9HS | 12 Tarriff Street<br>Manchester<br>M1 2EH |

**Part I – Particulars of Application**

| Date of Application | Application ref. no. |
|---|---|
| 29 January 2009 | 088767/FO/2009/S1 |

**Particulars and location of development:**

Erection of a two storey side extension, creation of new Beech Road entrance and elevational alterations.

The Horse And Jockey P.H.
9 Chorlton Green
Chorlton
Manchester
M21 9HS

**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 accord with the City Council's Unitary Development Plan in particular policy H2.2 which seeks to protect the amenity of residents from the adverse impact of development, policy S2.5 which requires new commercial developments to be of a high standard of design,policy DC10 which sets down the locational criteria for food and drink uses, policy Dc18 which seeks to protect the character of the City's conservation areas from innappropriate developments and DC26 which seeks to protect the amenity of residents from noisy developments.
**Date of Decision 24 March 2009**

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) 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 H2.2, S2.5, DC18 of the Unitary Development Plan for the City of Manchester.

3) 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: PD/01/047, 226/301/P, 302/P, 303/P, 305/P, 306/P, 307/P and 308P/1

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2, S2.5, DC10, DC18 and DC26 of the Manchester Unitary Development Plan.

4) Before any use hereby approved commences, 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.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) Before the extension hereby approved is first used the entrance door to the extension shall be fitted and maintained with automatic closing devices and the door shall not be fastened in the open position at any time.

Reason

To prevent the breakout of noise in close proximitty to residential accommodation pursuant to policy H2.2, DC10 and Dc26 of the Unitary Development Plan for the City of Manchester.

6) The detailed design of the proposed gates for the entrance to the yard from Beech Road shall be submitted to and approved by the City Council. Only gates of the approved design shall be installed.

Reason

The proposed gates occupy a prominent position within the Conservation area at the end of Beech Road and their design will have a significant impact on the character of the conservation area pursuant to policy DC18 of the Unitary Development Plan for the City of Manchester

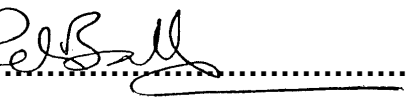
7) The yard area adjacent to the proposed extension shall not be used as an external seating/drinking or dining area.

Reason

The rear yard is close to residential properties and the noise generated by people using the yard area would have a detrimental affect on the amenity of the occupiers of those properties pursuant to policies H2.2, Dc10 and Dc26 of the Unitary Development Plan for the City of Manchester.

8) The development hereby approved shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building. Appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as Local Planning authority.

Reason
The development lies within 250 metres of a registered landfill site or in close proximitty to a potential historical source of landfill gas, pursuant to policy E3.5 of the Unitary Development Plan for the City of Manchester

**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.