077656 Walters A3 + ancillary bar 2.2006
073573
072054
079609. 5-8 Thomas St.



Jonathan Heyes
<jonny@aplacecalledcommon.co.uk>

23/02/2009 11:43

To: a.leckie@manchester.gov.uk
cc:
Subject: Common, Edge Street

Hi Angela,

Just contacting you regarding our planning application, we had a meeting with Councillor Marc Ramsbottom on Saturday, it was very useful for us and he took on board many of the points we put forward, hopefully you should have received an email from him registering his support and giving you a summary of what we discussed.

I have prepared a document(below) laying out our case for having the personal consent removed from our Planning Consent.

I hope this provides you with all the information you require, if you could give me a call to discuss it at your earliest convenience.

Thanks,

Jonny.

Common, 39-41 Edge Street M4 1HW

Concerns of the Planning Department:

- Proliferation of 'vertical drinking' or operators seen as unsuitable for the area inhabiting the unit and benefiting from unrestricted planning consent.

- Responsible operation of any future venture.

- Common and their business plan being suitable but other business not being suitable.

Context of Original Planning Consent

- We were told expressly that A3(historical) planning consents would be extremely hard to get in the future, and that we were lucky to have been granted a planning consent at all even though it had a Personal Consent attached. This has since not been borne out by events as proved by analysis of planning applications since 2004.

- We were not offered any other option other than to proceed with the Personal Consent . Others have since been offered other options, again this is evident by analysing planning consents granted since 2004.

- The implications of having the personal consent combined with a sui generis consent were never fully explained. In fact it was never made clear that a sui generis consent would be applied, we were under the impression an A3 consent was being granted with personal conditions.

Context of the Unit

- Suitability of premises for 'vertical drinking' or 'high street' operators is questionable.

- The premises is located on a very quiet street in terms of passing trade which is unsuitable for a high volume/'vertical drinking' venue.

- It is very small, only 120 capacity, and in a condition which, whilst it suits our independent aesthetic, would require an uneconomical amount of money to bring it up to the standard required for a high street chain.

- After 4 years of operating there are no 'vertical drinking'/high street operator in the area.

- The value of Common as a business is hugely reliant upon it's location as there are very few locations in which the business model would work. By that reasoning the location of the premises dictates the type of operation that would be financially viable, irrespective of who was responsible for its running

Edge Street and local area.

- Edge Street is still practically empty even after the 4 years we have been operating.

- We have taken a derelict unit and made it into a viable business, developing the street and adding to the development of the area as a whole.

- The unit would more than likely return to being unused and derelict if the planning consent was removed. This is bad for the street, bad for the area.

- Without a viable thriving business operating in our unit then the street becomes less attractive to future businesses therefore hindering the development of the area.

- The fact that Common is the type of business the Planning Department would like to see operating in the area, why have such restrictive measures been put in place which restrict the growth and development of the business.

- As a proportion of the total licensed capacity of the Northern Quarter, Common represents a tiny fraction but we seem to have the highest level of restriction.

- After studying the planning permissions approved for other bars since we applied it seems the same rationale has not been followed elsewhere. In 2004 we were told there was no other option but to proceed with a personal consent attached, but since then both A3 and A4 permissions have been given without personal consent. This seems incongruous, It seems to be one rule for those with financial clout, and another for those with less resources.

- The planning permissions I mention above are for much bigger venues, with the same opening hours, in similar(if not greater) proximity to residents and similar in all other aspects, yet it has not been seen fit to impose personal consents. These premises are also grouped together within yards of each other which creates a cumulative disturbance which we do not add to or suffer from.

- There is only one business which has had a personal consent levied against it, in this case the personal consent applies to a specific condition of hours not, as in our case to the entire

business. As such, there are many other units in the area far more suited to being taken over by a high street vertical drinking operation, which have no planning restrictions placed upon them to prevent this from happening.

Responsible operation.

- Mention has been made of the business plan attached to our planning consent. This is a document we used as a mission statement for our business, in it we talk about how we wish to operate our business, this has been cited as one of the reasons for being granted the planning permission in 2004. Have any of the businesses applying subsequently had their application subject to such a document.

- Our business plan is not in fact what dictates the way in which we operate in relations to matters which concern the planning department.

- Sound - we submitted a detailed acoustic survey with our planning permission, the dictate the levels of noise we are allowed to produce. This would obviously apply to any future users of the premises.

- Operating licensed premises are dictated by the Licensing Act based around the principles prevention of crime and disorder, prevention of public nuisance, public safety and prevention of harm to children. These principles hold true for us and any future inhabitants of this venue. Police, Fire Dept, Councillors, Environmental Health, Trading Standards, The Planning Department and Local Residents are all stake-holders in this process.

- There are myriad agencies and legislation in place to ensure the appropriate operation of licensed premises, it seems overkill to impose such a restrictive personal consent to legislate against future possible irresponsible management.

Investment, Employment and Development.

- When our original planning application was submitted in 2004, Common as a business enterprise did not exist, and the premises we have now developed were virtually derelict.
4 years of investment and extremely hard work have created a successful enterprise providing employment and other benefits to the local area.
However, with the personal consent restrictions in place, the value of the business is no greater than it was 4 years ago i.e. it is worth nothing

- We wish to make significant additional investment to create more jobs, and to continue to regenerate and benefit the local area, but the applied personal consent conditions will prevent us from doing so.

- It simply does not make economic sense to make such investment without the prospect of increasing the value of the business.

- Our business has been of real benefit to the local area, and has created employment.

- The personal consent in this situation serves as a disincentive to investment and development not only in our business but of Edge Street.

- We are exactly the kind of business the Northern Quarter needs and to continue to be here we need the personal consent lifting so we can reinvest.

- Small businesses such as ourselves are drivers of the local economy, of regeneration and development. Given the current economic climate should we not be in receipt of support from our local council, instead we find ourselves hamstrung by onerous conditions and a less than level playing field.

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