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
Tolsan Ltd Market Court 20-24 Church Street Altrincham WA14 4DW	Ludlam Associates The Bank 99 Palatine Road Didsbury Manchester M20 3QJ

Part I – Particulars of Application

Date of Application	Application ref. no.
30 May 2008	086811/JO/2008/S1

Particulars and location of development:

Variation of Condition 2 of Planning Permission 051357/FU/SOUTH2/97 to allow the opening hours to be permitted between 8.00am and 1.00am plus 30 minutes drinking up/dispersal time.

310 Wilmslow Road
Fallowfield
Manchester
M14 6XQ

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 increase in the hours of operation of the premises will not have an adverse impact on residential amenity. The proposal therefore accords with Policies DC10 and H2.2 of the Unitary Development Plan for the City of Manchester and there are no material considerations of sufficient weight to indicate otherwise.
Date of Decision 29 August 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 works to which this consent relates must be begun not later than the expiration of three years beginning with the date of this consent.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as applied and modified in relation to buildings in conservation areas.

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: Stamped 30/05/2008 .

Reason - To ensure that the development is carried out in accordance with theapproved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

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

11.00 am - 01.00am seven days a week, with half an hour drinking up and dispersal time

Reason -

To protect the amenities of the occupiers of nearby residential accommodation, pursuant to Policies DC10 and H2.2 of the Unitary Development Plan for the City of Manchester.

4) All patrons shall not be on the premises outside of the following hours:

11.00 am - 01.30am seven days a week.

Reason -

To protect the amenities of the occupiers of nearby residential accommodation, pursuant to Policies DC10 and H2.2 of the Unitary Development Plan for the City of Manchester.

5) No windows or doors shall be open when music is played of performed within the premises.

Reason -

To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies H2.2 and DC10 of the Unitary Development Plan for the City of Manchester

6) No servicing or any other activity shall take place in the year yard of the premises after 23.00 hrs on any night. This includes the disposal of refuse, glasses, or glass bottles, being disposed of in outside receptacles.

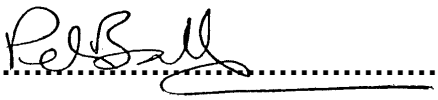
Reason -

To protect the amenities of the occupiers of nearby residential accommodation, pursuant to Policies DC10 and H2.2 of the Unitary Development Plan for the City of Manchester

7) No externally mounted speaker system shall be operated on the premises.

Reason -

To protect the amenities of the occupiers of nearby residential accommodation, pursuant to Policies DC10 and H2.2 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. The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

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.