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Head of Planning
Manchester City Council
Town Hall
Albert Square
Manchester
M60 2LA

Baldip Basi
E: bbasi@savills.com
DL: +44 (0) 1908 508 213
F: +44 (0) 1908 508 208

23 Furzton Lake
Shirwell Crescent
Furzton
Milton Keynes MK4 1GA
T: +44 (0) 1908 508 200
www.savills.co.uk

Dear

**Town & Country Planning Act 1990, Section 73**
**Application To Undertake Development Granted By Planning Permission 085877/FO/2008/N2 Without Complying with Condition 2**
**McDonald's Restaurant, 29 Stockport Road, Ardwick Green, Manchester, M12 4AB**

On behalf of our clients, McDonalds Restaurants Ltd, we enclose an application under Section 73 of the Town & Country Planning Act 1990 (as amended). This seeks planning permission to undertake development granted by planning permission 085877/FO/2008/N2 without complying with Condition 2.

The application comprises three copies of the following:

- Planning application forms incorporating Cert A and Agricultural Holdings Certificate;
- SAVHD01 – Site Location Plan
- Community Consultation Document; and
- Cheque for £170.00 being the required application fee.

Please acknowledge receipt of the application and enclosed fee in due course.

Under planning application reference no. F34041, planning permission was approved for the development of a McDonald's Restaurant. Condition 5 restricted the opening hours of the Restaurant and read:

*"the restaurant shall not be open outside the following hours Sunday to Thursday 8 am to 11.30 pm and Friday and Saturday 8 am to midnight".*

These hours were successfully varied in 2008 under planning permission ref. 085877/FO/2008/N2 allowing the restaurant to open between the hours of 5 am to 11.30 pm Sunday to Thursday and 5 am to midnight Friday and Saturday.

On behalf of our client, McDonald's Restaurants Ltd, we hereby apply for the variation of Condition 2 of planning permission 085877/FO/2008/N2 to allow the restaurant to open 24 hours a day seven days a week. No changes are proposed to the delivery hours.

**Consultation**

Prior to the submission of the application, the franchisee undertook a lengthy and detailed consultation exercise, the details of which are attached in support of this application. We briefly summarise the main points below.



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In January 2012 consultation letters were sent to the 18 nearest residential properties as well as local councillors advising them of the franchisees aspirations to extend the opening hours. They were all invited to contact the franchisee if they had any concerns. No responses were received.

Discussions were also held with Councillor Mavis Smitheman and a representative of the Grove Village Community Centre regarding the plans. The proposal was also discussed by Councillor Tom O'Callaghan during his regular neighbourhood meeting with residents on the 22nd February 2012. No negative feedback was received. Finally, an open evening was held in December for local residents and stakeholders, giving them a chance to raise any concerns about the restaurant more broadly. Again no negative comments were received.

To conclude, the franchisee has undertaken a detailed consultation exercise ensuring that local residents and Councillors are aware of his plans to extend the opening hours. No negative comments were received. We believe that this demonstrates that the existing premises are run well and without any adverse impact on the amenity of neighbours. We would expect the restaurant to continue to operate as a good neighbour during the extended hours.

We look forward to discussing the application with you in due course, however, in the meantime should you have any queries or require any further information please contact me.

Yours sincerely

Baldip Basi
Senior Planner