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 Clive Mason 257 Wilmslow Road Manchester M14 5LN	2C Design Consultants The Design Hub Coventry University Technology Park Puma Way Coventry Warwickshire CV1 2TT

Part I – Particulars of Application

Date of Application	Application ref. no.
6 August 2008	087274/FO/2008/N2

Particulars and location of development:

Erection of a wall mounted canopy to provide an outdoor smoking area

Hardys Well
257 Wilmslow Road
Rusholme
Manchester
M14 5LN

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
Approve on the basis that the proposal is in accordance with policies RF1 and H2.2 of the Manchester City Councils Unitary Development Plan, and there are no material considerations of sufficient weight to indicate otherwise.
Date of Decision 23 September 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: Existing layout drawing no: 2CD-00569 dated 23 July 2008 and proposed installation of canopy to rear drawing no: 2CD-00569 Rev A dated 3 September 2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies RF1 and H2.2 of the Manchester City Councils Unitary Development Plan.

3) The consent hereby approved shall not allow for the use of amplified sound or any music in these external areas at any time.

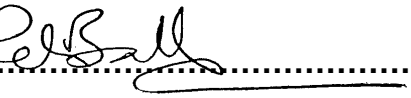
Reason: To safeguard the amenities of the occupiers of nearby properties, contrary to policy H2.2 of the Manchester City Councils Unitary Development Plan.

4) Unless otherwise agreed in writing by the City Council as local planning authority, the canopy shall not be used outside the following hours: -
Sunday to Thursday 10:00 - 23.00 Friday & Saturday 10:00 - 23.00

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

5) A sample colour (dark green) of the wall mounted GRP fibreglass canopy shall be submitted to and agreed in writing with the City Council as local planning authority before development commences.

Reason - In the interests of visual amenity, pursuant to policies RF1 and H2.2 of Manchester City Councils Unitary Development Plan.

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.