

Important – Planning permission & 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 to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- 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 is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Soul Foods Group Limited
Foston House
25 Riddings Road
Ilkley
LS29 9LU

Agent (if used)

Mr Richard Hindle
Wheatley Springs Barn
Wheatley Lane Road
Barrowford
Nelson
BB9 6QS

Part 1 – Particulars of the application/development

Proposal: Installation of new shop fronts in association with the sub-division of existing restaurant into two units; provision of external seating areas to both units

Location: Pizza Hut, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG

Date of application: 8 September 2023

Application number: 138038/FO/2023

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, officers have engaged in discussions with the applicant's agent and appropriate conditions have been attached to any approval granted.

Condition(s) attached to this decision

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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 8 September 2023.

-Drawing- Proposed- Ground Floor General Arrangement Plan, numbered 0000/2023/P100, stamped as received by the City Council as Local Planning Authority on 8 September 2023.

-Drawing- Proposed- External Frontage Elevation, numbered 0000/2023/P211, stamped as received by the City Council as Local Planning Authority on 8 September 2023.

-Supporting Information- Odour Assessment, numbered REV 2, stamped as received by the City Council as Local Planning Authority on 23 October 2023.

-Supporting Information- Confirmation of Refuse Arrangements, stamped as received by the City Council as Local Planning Authority on 23 October 2023.

-Supporting Information- External Plant Information, stamped as received by the City Council as Local Planning Authority on 9 November 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

3) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) a) The development hereby approved shall be carried out in accordance with 'Supporting Information- Odour Assessment, numbered REV 2', stamped as received by the City Council as Local Planning Authority on 23 October 2023 in relation to fumes, vapours and odours extracted and discharged from the premises. These measures shall be implemented before first occupation of the premises and maintained in place as long as the use is in operation.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of the occupiers nearby properties and policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC10 of the Unitary Development Plan.

5) a) The development hereby approved shall be carried out in accordance with 'Supporting Information- External Plant Information', stamped as received by the City Council as Local Planning Authority on 9 November 2023 in relation to securing a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC10 and DC26 of the Unitary Development Plan.

6) Upon occupation of the development, the arrangements for waste and recycling storage management as detailed within 'Supporting Information- Confirmation of Refuse Arrangements, stamped as received by the City Council as Local Planning Authority on 23 October 2023' shall be implemented and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

7) The premises shall not be open outside the following hours:
Monday to Sunday- 10:30am - 23:00pm.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1 and DM1 of the Manchester Core Strategy and saved UDP Policy DC26.

Informatives

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk.

Date: 24 November 2023

Signed:

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. 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.

2 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, they may appeal to the 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 gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. 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.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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

5. 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.