

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

The Ents Inc
First Floor
53 Greek Street
London
W1D 3DR

Agent (if used)

LSL Solicitors
The Old Counting House
82E High Street
Wallingford
OX10 0BS

Part 1 – Particulars of the application/development

Proposal: Change of use to entertainment and leisure for a temporary period of three years and erection of hoarding.

Location: Versa Studios , 18 Lower Byrom Street, Manchester, M3 4AP

Date of application: 15 June 2023

Application number: 137160/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

In assessing the merits of a planning application, officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. Noise issues have been fully addressed, and no other issues have been raised in relation to this development.

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:

Approved plans

Location Plan showing site edged red submitted 2nd June 2023
Existing Elevation, submitted 15th June 2023
Ground Floor Plan, submitted 2nd June 2023
First Floor Plan, submitted 2nd June 2023
Second Floor Plan, submitted 2nd June 2023
Stage 1 External Elevations, submitted 27th June 2023
Documents

Planning Statement, submitted 2nd June 2023
Noise Management and Mitigation Report, submitted 2nd June 2023
Hepworth Acoustics noise impact assessment dated August 2023 reference P23-305-R01v1
Transport Statement, submitted 2nd June 2023
Standard Specification, submitted 2nd June 2023

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

3) The premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Saturday - 9am to 11pm
Sunday and Bank Holidays - 9.30am to 10pm

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

4) Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and shall be fully in accordance with Hepworth Acoustics noise impact assessment dated August 2023 reference P23-305-R01v1

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

5) Within a period of three months from the date of this consent a Travel Plan Strategy shall be submitted to the City Council, as local planning authority. Following approval of the Travel Plan Strategy, all measures shall be fully implemented and adhered to for the duration of the use, hereby approved.

Reason - To ensure that the development is carried out pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

6) The development hereby approved is for a temporary period only, for three years commencing from the date of this consent, and the use must cease thereafter.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

7) The proposed use shall be for the operation of electric Go-Kart's, with ancillary uses, only, and for no other leisure or other use.

Reason - For the avoidance of doubt, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

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

Mining Information

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 1 September 2023

Signed: 

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.

Appendix A



The Coal Authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024