

P21-1009_L006v1_PL_MAN_RD

02 February 2023

Max Gibson
Manchester City Council
Planning
PO Box 532
Manchester
M60 2LA

Dear Max,

Town and Country Planning Act 1990 (as amended)

S73 Application for amendment of condition 2 and removal of condition 9 of consent 132373/FO/2021 for the erection of single storey extension and creation of external seating area and external alterations to existing building

2 Spinningfields Square, Manchester, M3 3AP

Planning Portal Reference: Reference: PP-11902938

On 26 May 2022 permission was granted for the:

Erection of single storey extension and creation of external seating area and external alterations to existing building.

On behalf of Caprice Holdings Ltd, Pegasus Group submit this application to amend Condition 2 and remove Condition 9 of consent 132373/FO/2021. This application follows the positive pre-application advice received from Eve Woolstencroft.

Variation of Condition 2

Condition 2 lists the approved plans and drawings.

Following the granting of permission, the applicant has decided to provide more robust external seating area and different external furniture.

As such, this application seeks to amend Condition 2 so that it lists the relevant updated plans and documents including:

- Proposed GA Ground Floor Plan ref 7339-202-P (to replace Proposed GA Ground Floor Plan ref: 464-201-S)

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- Furniture Schedule Sexy Fish Manchester D (to replace Caprice Manchester External Furniture Schedule)
- SF Manchester External Seating Rev A (80) Visual (to replace Sexy Fish Manchester External Furniture Visual)
- Proposed External Plan ref 7339-240

Removal of Condition 9

Condition 9 states:

Outside of the hours of the external seating area, all external furniture including tables, chairs and barriers shall be moved to the inside of the premises.

Reason – In the interests of amenity in order to reduce noise and general disturbance in accordance with policy DM1 of the Manchester Core Strategy.

However, it is unreasonable for the furniture to be brought inside. The restaurant is open longer than the external seating area, so it is impractical to bring the external furniture inside when the restaurant is operational and busy. Furthermore, it is not necessary to bring the furniture inside in the interest of amenity, which is satisfactorily protected by other planning conditions. Indeed, Highways have also confirmed that they have no issue with the removal of the condition (see email from Eve Woolstencroft to Rebecca Dennis dated 05 January 2023).

Condition 3

Condition 3 states:

Prior to any above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority.

A separate application has been submitted to discharge the condition. However, details of the materials are also provided with this application, so that should permission be granted Condition 3 becomes a compliance condition. The details include photographs of the materials samples. The physical samples have been provided also.

If you have any questions or queries, please do not hesitate to contact me using the details provided below.

Yours sincerely,





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