

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

Miss Emma Fallon
J D Wetherspoon plc
Wetherspoon House
Reeds Crescent
Watford
WD24 4QL

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Variation of Planning Condition 3 (Hours) attached to planning permission 084029/FO/2007/N2 to allow the outside area to open until 23:00

Location: Ford Madox Brown, 1 Wilmslow Park, Wilmslow Road, Manchester, M13 9PD

Date of application: 1 June 2023

Application number: 136599/JO/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

Condition(s) attached to this decision

- 1) The development must be begun not later than 16.10.2010

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

-Drawing - Proposed AL10/A received by the City Council, as Local Planning Authority, on 08/08/2007

-Drawing - Proposed ASOO/C received by the City Council, as Local Planning Authority, on 21/08/2007

-Noise assessment or information ACOUSTIC SURVEY Section 7.0 received by the City Council, as Local Planning Authority, on 22/03/2023

-Noise assessment or information WETHERSPOONS COMPREHENSIVE NOISE ASSESSMENT FINAL LOW RES SPREADS received by the City Council, as Local Planning Authority, on 24/07/2023.

-Drawing - Existing LAYOUT PLANNING PERMISSION received by the City Council, as Local Planning Authority, on 31/07/2023

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

3) External areas within the application site shall only allow used between the hours of 0800hrs and 2300hrs Monday to Sunday. The outdoor seating area shall measure no greater than the area shown in the approved drawing (Drawing - Existing LAYOUT PLANNING PERMISSION received by the City Council, as Local Planning Authority, on 31/07/2023).

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the MCS and saved policy DC26 of the UDP

4) The consent hereby approved shall only allow use of external areas to be operated in accordance with the conclusions of the approved acoustic survey (Section 7.0 of the Noise assessment or information ACOUSTIC SURVEY received by the City Council, as Local Planning Authority, on 22/03/2023). No amplified sound or any music shall be produced or played in any part of the site outside of the building.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) Notwithstanding the hereby approved plans, within one month of the date of this approval, details of the numbers and positioning of external furniture should be submitted and approved in writing with the City Council as the Local Planning Authority. The approved details should be implemented within one month of approval and thereafter retained and maintained.

Reason - To reduce the risk of crime pursuant to policy DM1 of the Manchester Core Strategy.

6) All external tables, chairs and barriers, as well as any collapsible awnings, should be stored securely within the building outside the hours of use as stated in condition 3 of the hereby approved application to prevent theft or damage.

Reason - To reduce the risk of crime pursuant to policy DM1 of the Manchester Core Strategy.

7) If when the lighting units are illuminated they cause undue glare or light spillage to the detriment of adjoining and nearby residential properties baffles and/or cut offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason- In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed residential accommodation pursuant to Policy DM1 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:

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: 4 August 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 their 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.