

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

Mr Ismail Adam
Wok Kitchen (Manchester) Ltd
Wok To Walk
Unit 9 Barton Arcade
61 Deansgate
Manchester
M3 2BW

Agent (if used)

Mr Matthew Norris
One 17 Architects & Interior Designers
The Dyehouse Armitage Road
Armitage Bridge
Huddersfield
HD4 7PD

Part 1 – Particulars of the application/development

Proposal: Variation of Condition 8 (Hours) attached to application ref no 120738/FO/2018 to amend opening hours to 08:00 - 00:00 (midnight) Monday to Thursday, 08:00 - 04:00 Friday and Saturday, 08:00 - 00:00 Sunday.

Location: 61 Deansgate, Manchester, M3 2BW

Date of application: 30 May 2023

Application number: 136991/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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application which resulted in successful negotiation of amendment to the proposal.

Condition(s) attached to this decision

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

The location plan referenced 3227 (LP) 01 Rev C received by the City Council as local planning authority on 17 September 2018

The drawings referenced:

3227 (SK) 24 rev B

received by the City Council as local planning authority on 26 November 2018

3858-0-M103 Rev P2

received by the City Council as local planning authority on 1 November 2018

3227 (SK) 05 Rev B

3227 (SK) 06 Rev B

3227 (SK) 08 Rev A

3227 (SK) 12 Rev A

3227 (SK) 13 Rev A

3227 (SK) 14

3227 (SK) 15 Rev A

3227 (SK) 19 Rev D

3227 (SK) 20 Rev A

3227 (SK) 22 Rev A

3227 (SK) 24 Rev A

3227 (SK) 25

3227 (SK) 27

3858-G-M101 Rev P1

3858-B-M102 Rev P1

all received by the City Council as local planning authority on 17 September 2018

3227 (SK) 09

1801-FP-General Info-Light-A

all received by the City Council as local planning authority on 23 July 2018

The document entitled Servicing/Delivery Times - Barton Square in relation to Unit 9 - U/O Wok to Walk received by the City Council as local planning authority on 1 November 2018

The maintenance and cleaning document prepared by Purified Air and the document entitled 'Operation and Maintenance Instruction' received by the City Council as local planning authority on 19 November 2018

The completed Waste Management Proforma received by the City Council as local planning authority on 19 November 2018

The Design and Access Statement and Method Statement and the Design and Access Statement Addendum prepared by One 17 Architects and Interior Designers received by the City Council as local planning authority on 17 September 2018

The Heritage Statement prepared by Turley Heritage received by the City Council as local planning authority on 17 September 2018

The report by Hepworth Acoustics referenced P18-416-R01v2 and dated October 2018 received by the City Council as local planning authority on 31 October 2018

The Floor, Ceiling and Walls specification prepared by TANK received by the City Council as local planning authority on 23 July 2018

The System Air specification document referenced MUB/T-S 062 500D4 IE2, the air-conditioning specification document referenced PEAD-M R410A and The Air Spiralo specification document received by the City Council as local planning authority on 30 August 2018

The Longar Industries Ltd Airgard specification document, the ESP4500 specification prepared by Purified Air, the ESP4500E Pressure Drop specification prepared by Purified Air, The Mr Slim product specification and The UV-O Range product specification received by the City Council as local planning authority on 17 September 2018

The emails from Bob May of Turley dated 31 October 2018,

The email from Matthew Norris of One 17 Architects and Interior Designers dated 2 November 2018

The emails from Kerry Melrose of Turley dated 13 November 2018 (in relation to signage only) and 23 November 2018

The emails from Jack Dickinson of Turley dated 19 November 2018 and 26 November 2018

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies CC1, CC4, CC5, CC7, CC9, CC10, T1, T2, EN1, EN3, EN16, EN19 and DM1 of the Core Strategy, saved policies DC10, DC14.1, DC14.2, DC18.1, DC19.1 and DC26 of the Unitary Development Plan and Sections 6, 7, 9, 12, and 16 of the National Planning Policy Framework.

3) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the report by Hepworth Acoustics referenced P18-416-R01v2 and dated October 2018. Within two months of this permission the approved scheme shall be implemented in full, and evidence be submitted to the City Council as local planning authority for approval that will demonstrate that the electric noise limiter has been installed and subsequently set to the levels within the report and made tamper proof. All approved measures shall be maintained in situ for the duration of the use.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan.

4) Within two months of the date of this planning permission a scheme for the extraction of all fumes, vapours and odours from the premises hereby approved, as detailed within the following documentation,

- o System Air specification document referenced MUB/T-S 062 500D4 IE2
- o The Air Spiralo specification document
- o The Longar Industries Ltd Airgard specification document
- o The ESP4500 specification prepared by Purified Air
- o The ESP4500E Pressure Drop specification prepared by Purified Air
- o The Mr Slim product specification
- o The maintenance and cleaning document prepared by Purified Air and the document entitled 'Operation and Maintenance Instruction'
- o The UV-O Range product specification and the drawings referenced 3858-G-M101 Rev P1, 3858-B-M102 Rev P1 and 3858-O-M103 Rev P2

shall be fully installed on site and a risk assessment for the scheme that confirms it is acceptable be submitted to the City Council as local planning authority for approval. The approved scheme shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC26; of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

5) All externally mounted ancillary plant, equipment and servicing shall be acoustically treated and operated in accordance with the scheme described within the report prepared by Hepworth Acoustic report referenced P18-416-R01v2 and dated October 2018 for the duration of the use hereby approved.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) The approved scheme for the storage (including segregated waste recycling) and disposal of refuse as detailed within the completed Waste Management Proforma received by the City Council as local planning authority on 19 November 2018 and the emails from Matthew Norris of One 17 Design dated 2 November 2018 and Jack Dickinson of Turley dated 19 November 2018 shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that adequate provision is made within the development for the storage and recycling of waste in accordance with policies DM1 and EN19 of the Core Strategy for the City of Manchester.

7) All servicing shall be operated only in accordance with the approved servicing management plan as detailed within the document referenced Servicing/Delivery Times - Barton Square in relation to Unit 9 - U/O Wok to Walk only and the email from Matthew Norris of One17Design dated 2 November 2018

Reason: To ensure that the use is acceptable in the interests of the highway safety and the amenity of the locality, pursuant to policies SP1, DM1, CC5, CC10 and T1 of the Core Strategy.

8) The premises shall not be open outside the following hours:-

08:00 - 00:00 (midnight) Monday to Thursday

08:00 - 04:00 Friday and Saturday

08:00 - 00:00 Sunday (Including Bank Holidays)

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

9) The access measures for disabled people to gain access into and throughout the premises as detailed within the Design and Access and Method Statement prepared by One 17 Architects and Interior Designers and shown on the approved drawings shall be fully implemented before the use hereby approved commences and shall be maintained for the duration of the use hereby approved.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of policies CC10, T1, T2, SP1 and DM1 of the Adopted Core Strategy for the

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.

The applicant is advised that if no CCTV system has been installed on site that it be installed in order to deter anti-social and criminal behaviour and due to the increase in the occurrences of verbal use, violent assaults and theft in the early hours of the morning.

Date: 4 July 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.