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## Town and Country Planning Act 1990

### GRANT OF PLANNING PERMISSION

<b>Name and Address of Applicant</b>	<b>Name and Address of Agent</b>
Barton Square Limited  The Management Suite The Trafford Centre Manchester M17 8AA	Deloitte LLP (t/a Drivers Jonas Deloitte) 2 Hardman Street Spinningfields Manchester M3 3HF

#### Part 1 – Particulars of Application

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**Application Number: 78823/COU/2012**

**Ground Floor Level, Part of Unit D, Barton Square, Phoenix Way, Trafford Park, Manchester, M17 8AS**

**Change of use from retail (Use Class A1) to aquarium (Use Class D2).**

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#### Part II – Particulars of Decision

That Trafford Borough Council hereby gives notice in pursuance of the provisions of the Town and Country Planning Act that **PERMISSION HAS BEEN GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted and the following condition(s).

#### **Conditions:**

- 1 The development must be begun not later than the expiration of three (3) 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, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawing no. L(00) 05 Rev A, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy.

- 3 The premises to which this relates shall be used for an aquarium and for no other purpose (including any other purpose within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Other uses within the same Use Class may have a detrimental effect on the neighbourhood and town centres and the restriction to the use proposed will enable the Local Planning Authority to consider any further change of use on its merits, having regard to Policies L4, L7, L8 and W2 of the Trafford Core Strategy.

- 4 The aquarium use hereby permitted shall not be open to the public unless or until an additional 42 car parking spaces have been provided and marked out in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The existing car parking spaces and the additional 42 car parking spaces shall be retained thereafter and made available at all times that the aquarium is open to the public.

Reason: In the interests of highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy.

- 5 No development shall commence unless and until details of a Travel Plan, which should include measurable targets for reducing car travel, have been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

Reason: In order to reduce congestion, improve road safety and promote public transport, walking and cycling, having regard to Policies L4 and L7 of the Trafford Core Strategy.

#### **Informatives:**

1. Town and Country Planning (Development Management Procedure) (England) Order 2010.

This informative is only intended as a summary of the reasons for the grant of planning permission. For more detail on the decision please contact Planning & Building Control.

2. The proposal would result in a satisfactory form of development that, subject to appropriate conditions, would have an acceptable impact on parking and the highway network. It is also considered that the proposal would have an acceptable impact on residential and visual amenity. It is considered that there are no sequentially preferable sites which are suitable and viable for this specialist leisure attraction and as a consequence it is considered that the proposals are therefore compliant with the provisions of the NPPF, Policies W2

- Town Centres and Retail, L4 - Sustainable Transport and Accessibility, L5 - Climate Change, L8 - Planning Obligations, R3 - Green Infrastructure, SL4 - Trafford Centre Rectangle of the Trafford Core Strategy and Proposals S11 - Development outside Established Centres, S12 - Retail Warehouse Park Development of the Revised Trafford Unitary Development Plan.

**Date of decision: 19 October 2012**

A handwritten signature in black ink, appearing to read 'Simon Castle'.

Chief Planning Officer  
**Simon Castle**

Note: This permission refers only to that required under the Town and Country Planning Act and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Please read notes provided