

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr Mehmood
I. Planning Services
2A Cook Street
Bury
BL9 0RP

On Behalf Of:

Mr Khan
Fort Group LTD
5
Frecheville Court
Bury
BL9 0UF

PART 1 - Particulars of Application

Application Number: 72873

Date of Registration: 06/03/2026

Proposal:

Change of use from Class E (office) to Sui
Generis (hot food take away) with a
canopy/extractor flue above the roof.

Location:

8 Walmersley Old Road, Bury, BL9 6SQ

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 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 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings Location plan produced 18-Feb-26, Existing floor plans and elevations ref IPS/R/08/BL96SQ Sheet 1 of 2, Proposed floor plans and elevations ref IPS/R/08/BL96SQ Sheet 2 of 2 rev B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
- 3 No development shall commence unless and until a scheme for treating, diluting and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such superseding guidance as shall prevail at the time of commencement of the

development).

The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

The installation shall be so designed such that the maximum noise emitted does not exceed NR25 (Noise Rating) in the bedrooms of the nearest residential property, with the windows of that residential property being open in the normal manner for ventilation purposes.

The scheme as approved shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development.

Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

- 4 The use hereby permitted shall not be open to customers outside the following times:

Monday to Friday 11am to 10.30pm
Saturday 11am to 11pm
Sunday 11am to 9pm.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S1/5 - Neighbourhood Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

- 5 The car park indicated on the approved plans shall be resurfaced and the parking spaces demarcated and made available for use prior to the first occupation/use of the development hereby approved and shall thereafter be maintained.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 6 The bin and cycle store detailed on the approved plans shall be provided prior to the development being brought into use and shall thereafter be maintained.

Reason. To ensure adequate bin and cycle store parking pursuant to policies EN1/2, JP-C8 and SPD11.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

NPPF National Planning Policy Framework

EC4/1	EC4/1 - Small Businesses
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
OL5/2	OL5/2 - Development in River Valleys
S1/5	S1/5 - Neighbourhood Centres and Local Shops
S2/6	S2/6 - Food and Drink
HT2/4	HT2/4 - Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-P1	Sustainable Places
JP-P6	Health
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S5	Clean Air

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Location plan produced 18-Feb-26

Existing floor plans and elevations ref IPS/R/08/BL96SQ Sheet 1 of 2

Proposed floor plans and elevations ref IPS/R/08/BL96SQ Sheet 2 of 2 rev B

NOTES TO APPLICANT

. In line with Public Health policies and to encourage a healthy approach to food, the applicant is asked to consider the following good practices -

- Portion size & pricing
- Healthier cooking practices
- Salt reduction
- Healthier menu balance
- Alternative healthy options

Further advice can be found at Bury Catering Guide - Promoting Health & Sustainability:

<https://www.theburydirectory.co.uk/health-and-wellbeing/burys-catering-guide-healthy-sustainable-practices>

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

Date of Decision: 07/05/2026