

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jon Salisbury
JSA Design
The Base
Dallam Lane
Warrington
WA2 7NG

On Behalf Of:

Mr Phil Wheeldon
Kensingtons
609 Bolton Road
Pendlebury
Swinton
Manchester
M27 4EJ

PART 1 - Particulars of Application

Application Number: 69971

Date of Registration: 06/09/2023

Proposal:

Change of use from snooker hall (Use Class F2) to cabaret venue /bar /drinking establishment (Sui Generis); installation of bi-fold doors to front elevation. Upgrading existing steps, installation of access ramp and balustrade to provide level access to the front of the building.

Location:

509-511 Bury New Road, Prestwich,
Manchester, M25 3AJ

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 hereby approved shall be carried out strictly in accordance with the following approved plans and documents, but only in respect of those matters not reserved for later approval, as listed below and at the end of this decision notice unless required otherwise by this decision or its attached conditions:
This permission relates to the following plans:

Drawing no. 547 - 400: Location Plan;
Drawing no. 547 - 401: Block Plan;
Drawing no. 547-402 Rev. G: Proposed Ground Floor and Site Plan;
Drawing no. 547-402 Rev. A: Proposed Basement Plan;
Drawing no. 547-403: Proposed First Floor Plan;
Drawing no. 547-403 Rev. G: Proposed Elevations; and,
Drawing no. 547-404 Rev. D: Proposed Fence Elevation & Bin Store Detail.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary

Development Plan and the National Planning Policy Framework.

- 2 The premises shall only be open for trade or business between 11:00 hours and 00:00 hours Monday to Friday, 11:00 hours - 02:00 hours on Saturday, and between 11:00 hours and 00:00 hours on Sundays, Bank Holidays and Public Holidays.

Reason: To limit the potential for noise generation during unsocial hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with Policies S2/4 – Control of Non-Retail Uses in All Other Areas, and S2/6 – Food and Drink of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 3 The noise attenuation measures identified in the Noise Assessment Impact Assessment, dated 03 November 2023, carried out by Philip Dunbavin Acoustics Ltd, Report Reference Number J004657-7404-TD-01 shall be implemented in accordance with the details in the report before the approved use commences. The duly implemented attenuation measures shall be retained as such thereafter as long as the site is in operation.

Reason: To ensure the implementation of appropriate noise attenuation measures to safeguard the amenities of the occupiers of nearby properties, in accordance with Policies EN7/1 - Noise Pollution and S2/6 - Food and Drink of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 4 Notwithstanding any approved details, any system required for the extraction and filtration of odours shall only be installed in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) details the siting, design and finish of any external plant and/or flue(s);
- (ii) (ii) manufacturer's operating instructions; and
- (iii) (iii) a programme of equipment servicing/maintenance. The system shall thereafter be installed in accordance with the duly approved scheme and the extraction/ventilation equipment shall be operated, maintained and where necessary repaired in accordance with the manufacturer's instructions and programme of equipment servicing/maintenance.

Reason: In order to ensure the efficient dispersal of any odours emanating from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to the character and appearance of the host building and surrounding area in accordance with the requirements of EN7/1 – Atmospheric Pollution, EN7/2 – Noise Pollution and S2/6- Food and Drink of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 5 No seating shall occur outside the premises.

Reason: To ensure the servicing area at the front of the property remains free of obstructions to allow services and deliveries to be made off the adopted highway, in the interests of highway safety and in the interests of the amenity of neighbouring residents.

- 6 Within 3 months of the date of this decision, the part of the fence on the shared boundary with no. 135 Bury New Road located from the front elevation of the

application site which extends towards the rear of the site shall be reduced in height to 1.8 metres.

Reason: In the interests of visual amenity and the street scene, in accordance with Policy EN1/2 - Townscape and Built Design - of the Bury Unitary Development Plan and the National Planning Policy Framework.

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:

S1/2	S1/2 - Shopping in Other Town Centres
S2/4	S2/4 - Control of Non-Retail Uses in All Other Areas
S2/6	S2/6 - Food and Drink
EN1/7	EN1/7 - Throughroutes and Gateways
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT5/1	HT5/1 - Access For Those with Special Needs
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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:

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Drawing no. 547-402 Rev. A: Proposed Basement Plan;
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NOTES TO APPLICANT

1. This planning permission does not grant consent for any signage shown on the approved plans, nor should it be construed or assumed that the indication of such signage on the approved plans will result in the grant of advertisement consent. The applicant is reminded of the need to make a separate application for advertisement consent to the Local Planning Authority in accordance with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) in order to obtain permission for any signage before this is erected.

Signed:

A handwritten signature in black ink, appearing to read 'for havi'.

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On behalf of the Council

Date of Decision: 21/02/2024