

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jim Eccles
JPE Consultancy Limited
9 Woodend Drive
Stalybridge
SK15 2SF

On Behalf Of:

Ms Maher
Robert Peel Limited
C/o Agent
9 Woodend Drive
Stalybridge
SK152SF

PART 1 - Particulars of Application

Application Number: 67789

Date of Registration: 12/11/2021

Proposal:

Change of use of ground floor from retail (Class E) to public house (Sui Generis) with replacement of existing glazed frontage and new entrance/ramped access

Location:

275 Bury New Road, Whitefield, Manchester, M45 8QP

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 - 21/1262/100 Location plan; 21/1262/101 - Existing site plan; 21/1262/201 - Proposed site plan; 21/1262/102 - Existing ground floor plan; 21/1262/202 - Proposed ground floor plan; 21/1262/103 - Existing elevations; 21/1262/203 - Proposed elevations; Noise Impact Assessment by Nova Acoustics dated 25/8/21 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 listed.
- 3 The development hereby approved shall be carried out in accordance with the recommendations and mitigation in section 3.3 of the Noise Impact Assessment Report by Nova Acoustics dated 25/8/21. The mitigation measures shall thereafter be retained.
Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, EN7/2 - Noise Pollution and S2/3 - Secondary Shopping Areas and

Frontages.

- 4 Prior to the first occupation/use of the development hereby approved, works to soundproof the floor/ceiling between the ground floor and the first floor, which shall be in accordance with standards of construction specified in current Building Regulations, shall be implemented and such works shall be completed before the development is brought into use.
Reason. To protect the residential amenities of the occupiers of the flat pursuant to UDP Policy EN7/2 Noise Pollution.
- 5 The use hereby permitted shall not be open to customers outside the following times: midday to 1am daily.
Reason. To ensure reasonable business operation times within the location pursuant to Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, EN7/2 - Noise Pollution and S2/3 - Secondary Shopping Areas and Frontages.
- 6 No development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:
- A scheme of footway improvements on Bury New Road outside the former Bulls head public house (Northern Crafhhouse) and at the junction with Devon Avenue to a scope and specification to be agreed, incorporating the reinstatement to adjacent footway levels of all redundant accesses, resurfacing of existing areas of footway affected by illegally parked vehicles, tactile paved crossing points and all necessary highway remedial works;
 - In association with the above, a scheme of bollards, to a scope and specification to be agreed, to prevent the illegal parking of vehicles on and resultant obstruction of the existing footway on Devon Avenue and new areas of footway to be created;
 - Review of the existing and need for the provision of new waiting/loading restrictions on Bury New Road/Devon Avenue in the vicinity of the proposed highway works to ensure that the pedestrian improvements can be safely utilised, including details of the measures proposed, all necessary modifications to road markings and signage and a timetable for implementation.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority with all highway works completed prior to the use hereby approved commencing.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, HT2/4 - Car parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 7 The car parking at the former Bulls head public house (Northern Crafhhouse) indicated on the approved location plan, shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained for use by these premises at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, HT2/4 - Car parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 8 The servicing and bin storage arrangements indicated on the approved plans shall be implemented before the use hereby approved commences and thereafter be maintained available for use at all times.
Reason. To ensure adequate off-highway servicing and bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, and EN1/2 - Townscape and Built Design.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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
HT2/4 HT2/4 - Car Parking and New Development
HT5/1 HT5/1 - Access For Those with Special Needs
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
S1/3 S1/3 - Shopping in District Centres
S2/3 S2/3 - Secondary Shopping Areas and Frontages
S2/6 S2/6 - Food and Drink
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury

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:

21/1262/100 Location plan; 21/1262/101 - Existing site plan; 21/1262/201 - Proposed site plan; 21/1262/102 - Existing ground floor plan; 21/1262/202 - Proposed ground floor plan; 21/1262/103 - Existing elevations; 21/1262/203 - Proposed elevations; Noise Impact Assessment by Nova Acoustics dated 25/8/21

NOTES TO APPLICANT

- . The applicant's attention is drawn to the need to consult the Department for Operations regarding the specification for and implementation of the required highway works and implementation of any required traffic regulation order. The cost of the works will be the responsibility of the developer

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', written in a cursive style.

4 of 4

.....
On behalf of the Council

Date of Decision: 26/01/2022