

NOTICE OF PLANNING PERMISSION

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

To:

Mr Ben Edmondson
edmondson design services
20 Fernhill Drive
Fernhill Drive
Bacup
OL13 8JS

On Behalf Of:

Mr Mark Ainsworth
5 Square Street
Ramsbottom
Bury
BL0 9BE

PART 1 - Particulars of Application

Application Number: 69932

Date of Registration: 24/07/2023

Proposal:

Change of use from chiropractor (Class E) to bar (Sui Generis) (part retrospective)

Location:

5 Square Street, Ramsbottom, Bury, BL0 9BE

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 permission hereby granted is for a limited period only, namely for a period expiring on the 30 May 2025, and the use comprising the development for which permission is hereby granted is required to be respectively discontinued at the end of the said period and the bar removed from the building to the written satisfaction of the Local Planning Authority within 2 months of the expiry date, unless planning permission has been granted for the use of the building to continue.

Reason. The development is of a temporary nature only to allow the Council to assess the impact of the development on adjoining and surrounding residential occupiers, in accordance with policies EN7/2 - 'Noise Pollution' and S2/6 - 'Food and Drink' of the Bury Unitary Development Plan, the National Planning Policy Framework and National Planning Practice Guidance.

- 2 This permission relates to the following plans:

OS. Site Plan/ Location Plan;
Drawing no. 0223/04-02 Rev. C: Block Plans; and,
Drawing no. 2023/04-01 Rev. C: Proposed Plans and Elevations,

Except as provided for by other conditions to this permission, the development shall

be carried out in complete accordance with the approved drawings.

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.

- 3 Before the first occupation of the use hereby permitted the first floor windows on the front and rear of the building shall be non-opening and retained as such in perpetuity.

Reason: To protect the privacy of adjoining occupiers and nearby occupiers and to accord with Policies S2/6 - 'Food and Drink' and EN7/2 - 'Noise Pollution' of the Bury Unitary Development Plan.

- 4 The use hereby permitted shall only be open for trade or business between 10:00 hours and 23:00 hours Monday to Saturday and between 11:00 hours and 22:00 hours on Sundays, Bank Holidays and/ or 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 adjoining and surrounding residential properties in accordance with the requirements of Policies S2/2 – Prime Shopping Frontages, EN7/2 - Noise Pollution and S2/6 – Food and Drink, 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
S2/2	S2/2 - Prime Shopping Areas and Frontages
S2/6	S2/6 - Food and Drink
EN2	EN2 - Conservation and Listed Buildings
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
TC2/1	TC2/1 - Upper Floors
TC2/3	TC2/3 - Vacant and Cleared Sites
EC4/1	EC4/1 - Small Businesses
NPPF	National Planning Policy Framework

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:

OS. Site Plan/ Location Plan;
Dwg. no. 0223/04-02 Rev. C: Block Plans;
Dwg. no. 2023/04-01 Rev. C: Proposed Plans and Elevations

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 22/11/2023