

NOTICE OF PLANNING PERMISSION

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

To:

Mrs Deborah Molony
The Licensing Guys
Rural Enterprise Centre
Vincent Carey Road
Rotherwas
Hereford
HR2 6FE

On Behalf Of:

Mr Muhammeed Shaheryar
8 High Street
Runcorn
WA7 1AU

PART 1 - Particulars of Application

Application Number: 68014

Date of Registration: 21/02/2022

Proposal:

Amended opening hours for cafe (Class E):
Installation of extraction flue at side/rear; New
shop front to include shutters

Location:

185 Rochdale Road, Pimhole, Bury, BL9 7BB

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 Red edge site plan received 25/1/22; Existing elevations EE-BL9 7RG 01; Existing floor plans EP-BL9 7RG 01; Revised proposed plans PP-BL9 7RG 02; Revised proposed elevations PE-BL9 7RG 03; Proposed shop front dated 23/10/21 (received 25/1/22) 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 bin storage facilities indicated on the approved plans shall be implemented prior to the development hereby approved being brought into use and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses and EN1/2 - Townscape and Built Design.

- 4 Prior to the installation of the roller shutter hereby approved, details of the roller shutter shall be submitted to and approved by the Local Planning Authority. The approved details only shall thereafter be implemented and maintained.
Reason. In the interests of visual amenity and for security purposes pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN1/5 - Crime Prevention and EN1/8 - Shop Fronts.
- 5 The use hereby permitted shall not be open to customers outside the following times: 11.00 to 01.00 daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S1/5 - Neighbourhood Centres and Local Shops and S2/6 – Food and Drink of the Bury Unitary Development Plan.
- 6 The extraction system/flue hereby installed shall comply with or exceed 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) and thereafter maintained whilst it shall serve the development.
Reason. In the interests of amenity pursuant to Policies EN7/1 - Atmospheric Pollution, EN7/2 - Noise Pollution, S1/5 - Neighbourhood Centres and Local Shops and S2/6 – Food and Drink of the Bury Unitary Development Plan.

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	EC4 - Small and Growing Businesses
EN1/2	EN1/2 - Townscape and Built Design
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
S1/5	S1/5 - Neighbourhood Centres and Local Shops
S2/6	S2/6 - Food and Drink
EN1/5	EN1/5 - Crime Prevention
EN1/8	EN1/8 - Shop Fronts

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:

Red edge site plan received 25/1/22; Existing elevations EE-BL9 7RG 01; Existing floor plans EP-BL9 7RG 01; Revised proposed plans PP-BL9 7RG 02; Revised proposed elevations PE-BL9 7RG 03; Proposed shop front dated 23/10/21 (received 25/1/22)

NOTES TO APPLICANT

- . The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the adopted highway.
- . The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.
- . The applicant's attention is drawn to the fact that the adopted highway should not be used for the storage of bins.

Signed:



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On behalf of the Council

Date of Decision: 11/05/2022