

NOTICE OF PLANNING PERMISSION

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

To:

Riyat Associates Ltd
Benson House
14 Benson Street
Leeds
LS7 1BL

On Behalf Of:

Mr M Hussain
53 Bury Old Road
Prestwich
Manchester
M25 0FG

PART 1 - Particulars of Application

Application Number: 69740

Date of Registration: 08/06/2023

Proposal:

((Variation of condition no. 3 following approval of planning permission 68612 - Opening hours to be extended from Sunday-Thursday 10:00-00:00 and Friday-Saturday 10:00-02:00 (As Approved) to Sunday-Thursday 10:00-00:30 (extended) and Friday-Saturday 10:00-02:00 hrs (as approved)).

Location:

53 Bury Old Road, Prestwich, Manchester, M25 0FG

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 This decision relates to drawings numbered 00501-02B, 03A, 04A, 05A and technical information within the document 'Supporting Information on the Proposed Extract System and Plant' associated with application 58310 and the development shall not be carried out except in accordance with the drawings and supporting information 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.
- 2 The use hereby permitted shall not be open, either to customers or for external deliveries, outside the following times:
Sunday - Thursday - 10.00 - 00.30
Friday - Saturday - 10.00 - 02.00
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 Food and Drink of the Bury Unitary Development Plan.
- 3 The development shall be carried out in accordance with the details approved as part

of condition 4 of permission 58310.

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

Reason. To protect the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

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:

EC4/1	EC4/1 - Small Businesses
H3/1	H3/1 - Assessing Non-Conforming Uses
EN7/2	EN7/2 - Noise Pollution
S1/4	S1/4 - Local Shopping Centres
S2/6	S2/6 - Food and Drink
HT2/4	HT2/4 - Car Parking and New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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:

NOTES TO APPLICANT

Not Applicable

Signed:



2 of 2

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On behalf of the Council

Date of Decision: 28/07/2023