

DELEGATED REPORT

Report by Sam Summers	Date of report: 01/06/2023	Ref: 69419/LDCP
Registration: 04/04/2023	LDFC:	Expiry Date: 30/05/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed change of use from Hotfood takeaway to Restaurant at ground floor

Location: 169 Bolton Road, Bury, BL8 2NW

Description

Lawful development certificate for proposed change of use from Hotfood takeaway to Restaurant at ground floor.

Relevant Planning History

53928 - Non Material amendment on Planning Application 51863 to replace the original flue with a smaller 300mm flue to the front elevation - Approve 15/06/2011

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Unitary Development Plan and Policies

Issues and Analysis

Part 3 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for the change of use of a building from a use falling within one of the following provisions of the Use Classes Order—

- (a) article 3(6)(m) (casino);
- (b) article 3(6)(n) (betting office);
- (c) article 3(6)(o) (pay day loan shop); or
- (d) article 3(6)(r) (hot food take away),

to a use falling within Class E (commercial, business and service) of Schedule 2 to that Order.

In this case a lawful development certificate has been applied for a change of use from a hot food take away to a restaurant at ground floor.

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 3 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal as described in the First Schedule, is deemed to be 'Permitted Development' having regard Article 3, Schedule 2, Part 3, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 Before beginning the development, the developer must provide written notification to the local planning authority of the date on which the use of the building will change.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	01/06/2023	DM	01/06/23