

NOTICE OF PLANNING PERMISSION

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

To:

Mr Golding
Gold Sketch Studios LTD
55a Bury Old Road
Prestwich
M25 0FG

On Behalf Of:

Ray
30 Standmoor Road
Whitefield
Manchester
M45 7PN

PART 1 - Particulars of Application

Application Number: 68409

Date of Registration: 25/05/2022

Proposal:

Change of use from retail (Class E) to Hot food takeaway (Sui Generis) and retention of flue at rear

Location:

3 Rufford Parade, Rufford Drive, Whitefield, Manchester, M45 8PL

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 Location and block plan 001; Existing and proposed plan 002; Site - Existing and proposed site plan 004 rev 1; Lindab roof hub specification; MaXfan compac specification 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 approved plan reference GSS22012 004 Revision 1 shall be implemented prior to the use hereby approved commencing 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 EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.
- 4 Prior to the first use of the development hereby approved, a scheme to soundproof the floor/ceiling between the ground floor and the first floor flat, which shall be in

accordance with standards of construction specified in current Building Regulations, shall be implemented.

Reason. To protect the residential amenities of the future occupiers of the residential flat pursuant to UDP Policy EN7/2 Noise Pollution.

- 5 The flue and ventilation equipment hereby approved shall operate in compliance with or exceeding 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).
The flue and ventilation equipment shall thereafter be maintained whilst it shall serve the development.

Reason. To protect the residential amenities of nearby residential properties from impact upon from fumes and odour pursuant to UDP Policies S2/6 - Food and Drink, EN7/1 - Atmospheric Pollution and EN7/2 - Noise Pollution

- 6 The installation shall be so designed such that the maximum noise emitted does not exceed NR25 (Noise Rating) in the bedrooms of the nearest residential property, with the windows of that residential property being open in the normal manner for ventilation purposes.
The scheme as approved shall be fully implemented and all equipment installed shall be used and maintained in accordance with the manufacturers and installers instructions.

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 and EN7/2 - Noise Pollution.

- 7 The use hereby permitted shall not be open to customers outside the following times: 5pm to 10.30pm 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.

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
EN1/2	EN1/2 - Townscape and Built Design
EN7	EN7 - Pollution Control
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
HT2/4	HT2/4 - Car Parking and New Development

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:

Location and block plan 001; Existing and proposed plan 002; Site - Existing and proposed site plan 004 rev 1; Lindab roof hub specification; MaXfan compac specification

NOTES TO APPLICANT

- . 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:

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: 17/08/2022