

NOTICE OF PLANNING PERMISSION

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

To:

Mr Chris Wilkinson
CD Wilkinson Plans
5 Highmeadow
Outwood
Radcliffe
Manchester
M26 1YN

On Behalf Of:

Ms Codi Sheldon
Codi's Kitchen
391 Bury New Road
Prestwich
Manchester
M25 1AW

PART 1 - Particulars of Application

Application Number: 70961

Date of Registration: 05/09/2024

Proposal:

Installation of a commercial kitchen flue to rear elevation

Location:

391 Bury New Road, Prestwich, Manchester, M25 1AW

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 plan received 19/7/24
Revised existing and proposed plans 2902_PRE_01_PLANNING_Rev B
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 and Places for Everyone Joint Development Plan listed.
- 3 No development shall commence unless and until a scheme for treating, diluting and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds 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 scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

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

Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain 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.

- 4 Noise from or associated with the proposed activity/development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.
The ambient noise levels shall be determined by survey, by the applicant and a copy of the survey report shall be provided to the LPA before any development takes place.
Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities of nearby residential property from impact upon from noise pursuant to UDP Policy EN7/2 - Noise Pollution.
- 5 The flue hereby approved shall be finished in a matt black colour and thereafter maintained.
Reason. In the interests of visual amenity pursuant to Bury Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and the principles of the NPPF.

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
EC4/1	EC4/1 - Small Businesses
EN1/2	EN1/2 - Townscape and Built Design
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN7/2	EN7/2 - Noise Pollution
S1/2	S1/2 - Shopping in Other Town Centres
S2/3	S2/3 - Secondary Shopping Areas and Frontages
S2/6	S2/6 - Food and Drink

Area Area PR4 - Church Lane/Bury New Road/Clark's Hill
PR4
JP-S5 Clean Air

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 plan received 19/7/24

Revised existing and proposed plans 2902_PRE_01_PLANNING_Rev B

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: 07/11/2024