

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) Order 2010

To:

Ms Kate Skingley
David Lock Associates,
50 North Thirteenth Street
Central Milton Keynes
Milton Keynes
MK9 3BP

On Behalf Of:

Mercedes-Benz Retail Group UK Ltd
Delaware Drive
Tongwell
Milton Keynes
MK15 8BA

PART 1 - Particulars of Application

Application Number: 58561

Date of Registration: 18/03/2015

Proposal:

Variation of condition 16 following grant of planning permission 56517 to amend the Sunday opening hours:
Amend from: The development hereby permitted shall not be open to customers or members of the public outside the following times: 08.00 to 18.30 Monday to Friday, 08.00 to 17.00 Saturdays and 10.00 to 16.00 Sundays
Amend to :The development hereby permitted shall not be open to customers or members of the public outside the following times: 08.00 to 18.30 Monday to Friday, 08.00 to 17.00 Saturdays and 11.00 to 17.00 Sundays

Location:

845 Manchester Road, Bury, BL9 9TP

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 numbered 3273/50A, 3273/51B, 3273/52B, 3273/53B, 3273/54A, 3273/55A, 3273/56A, 32573/60, Topographical survey - Mercedes, Manchester Road, Whitefield 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.

- 7 No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless otherwise agreed in writing with the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
- 9 The development hereby approved shall be carried out in full in accordance with the recommendations of the Ecological Assessment Report Ref 3972.002 May 2013.
Reason. In order to ensure that no harm is caused to the site pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
- 10 The development hereby approved shall not be brought into use unless and until the footway and access alterations on Manchester Road indicated on the approved plans, incorporating the reconfiguration of the existing southerly site access, closure of the northerly site access, demarcation of the adopted highway boundary and all associated remedial works have been implemented in full to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.
- 11 The turning facilities indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring of service vehicles shall subsequently be maintained free of obstruction at all times
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.
- 12 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and SPD11.
- 16 The development hereby permitted shall not be open to customers or members of the public outside the following times: 08.00 to 18.30 Monday to Friday, 8.00 to 17.00 Saturdays and 11.00 to 17.00 Sundays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.
- 17 No development, other than demolition works, shall commence until details of a screen to be erected along the southern and western roof line of the building have been submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented prior to the development hereby approved being brought into use and maintained thereafter.
Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling

Stations and EN1/2 - Townscape and Built Design.

- 18 No development other than demolition works, shall commence unless or until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- EC3/1 EC3/1 - Measures to Improve Industrial Areas
- EC6/1 EC6/1 - New Business, Industrial and Commercial Development
- EN1/1 EN1/1 - Visual Amenity
- EN1/2 EN1/2 - Townscape and Built Design
- EN1/3 EN1/3 - Landscaping Provision
- EN1/5 EN1/5 - Crime Prevention
- EN1/6 EN1/6 - Public Art
- EN1/7 EN1/7 - Throughroutes and Gateways
- EN5/1 EN5/1 - New Development and Flood Risk
- EN6 EN6 - Conservation of the Natural Environment
- EN6/3 EN6/3 - Features of Ecological Value
- EN7 EN7 - Pollution Control
- EN7/2 EN7/2 - Noise Pollution
- EN7/5 EN7/5 - Waste Water Management
- EN8 EN8 - Woodland and Trees
- EN8/2 EN8/2 - Woodland and Tree Planting
- OL1/2 OL1/2 - New Buildings in the Green Belt
- OL1/5 OL1/5 - Mineral Extraction and Other Development in the Green Belt
- OL5/2 OL5/2 - Development in River Valleys
- S2/1 S2/1 - All New Retail Proposals: Assessment Criteria
- S4/4 S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations
- HT2/4 HT2/4 - Car Parking and New Development
- HT5/1 HT5/1 - Access For Those with Special Needs
- SPD4 Development Control Policy Guidance Note 4: Percent For Art
- SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- SPD8 Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
- SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
- NPPF National Planning Policy Framework

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:

3273/00

3273/50A

3273/51B

3273/52B

3273/53B

3273/54A

3273/55A

3273/56A

32573/60

Topographical survey - Mercedes, Manchester Road, Whitefield

NOTES TO APPLICANT

Not Applicable

Signed:

 4 of 4

.....
On behalf of the Council

Date of Decision: 13/05/2015