

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 24/00074/FUL

Name and address for correspondence:	Applicant name:
Sam Shepherd 5 Redstart Grove Worsley Manchester M28 7AG	Sam Shepherd

Part I - Particulars of Application

Date of Application: 16 April 2024

Proposal:	Change of use from Florist E(a) to Café/Restaurant E(b) together with alteration to front elevation/entrance and creation of outdoor enclosed seating area and bin store
Location:	215 Manchester New Road, Middleton, M24 1JT

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 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 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans:

Location Plan
Block Plan as Proposed - (PL)003-R0
Proposed Plan with External Space - (PL)006-R0
Context Elevations showing external space proposed - (PL)008-R0
Proposed Plans and Elevations (PL)005-R1

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 The number of covers externally should be limited to 16 notwithstanding the wording on the proposed layout plan.

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

- 4 The outside space hereby approved shall not be used outside the hours of 11:00-23:00 Monday to Sunday, no form of entertainment either amplified, background, acoustic or other is to be provided in the outdoor space .

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework

- 5 The development hereby approved shall not be occupied until a venue management plan has been submitted to and approved in writing by the Local Planning Authority and this should address any potential impacts on neighbouring properties. The approved management plan shall be adhered to from first opening and thereafter.

Reason: To protect the amenity of nearby occupants and to accord with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 The extraction system should be installed in accordance with the submitted details prior to the first use of the development hereby approved and retained as approved thereafter.

Reason: To protect the amenity of nearby occupiers from odour and accord with policies DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 No part of the development shall be occupied until such time as details (including materials and location) for the design of refuse/recycling bin store has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed in accordance with the approved details and made available for use prior to the approved development first being brought into use. The approved refuse and recycling store shall be retained as constructed for its intended use thereafter.

Reason: To ensure the provision of satisfactory and secure facilities for storage of refuse and in the interests of visual amenity in accordance with policy P3 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 8 Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries have been submitted to and approved in writing by the Local Planning Authority. The approved structures shall be erected prior to occupation and in accordance with the approved details . The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement:

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 to issue the decision without delay.

Date Decision Issued 23 July 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:

Separate advertisement consent is required for any new signage on the building.