ROCHDALE BOROUGH COUNCIL

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 20/01274/FUL

Name and address for correspondence:	Applicant name:
Owen Pike MRTPI Sanderson Weatherall LLP 30 Queen Square Bristol BS1 4ND	Papa John's (GB) Ltd

Part I - Particulars of Application

Date of Application: 12 November 2020

Proposal:	**Change of use from a shop (Use Class E) to a hot food takeaway (Sui Generis) including installation of ventilation and extraction equipment on the rear elevation and alterations to shopfront**
Location:	**187 Kirkway, Middleton, M24 1LW,**

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:-

- 20072-01 - Existing Site Plan, Location Plan
- 20072-01 Rev A - Proposed Site Plan, Location Plan
- 20072-03 - Existing Floor Plans
- 20072-03 - Existing Elevations
- 20072-10 Rev C - Proposed Floor Plans

- 20072-11 Rev A - Proposed Elevations

and the development shall be carried out in complete accordance with these drawings hereby approved.

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

3 The use hereby permitted shall not be open to customers outside the following times: 11:00 hours to 23:00 hours Monday to Sunday and Bank Holidays.

Reason: In the interests of residential amenity and in accordance with policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4 There shall be no deliveries to the Hot Food Takeaway unit hereby approved (as shown on approved site plan 20072-01 Rev A) outside of the hours of 08:00 to 17:00 Monday to Friday and 09:00 to 15:00 on Saturday, Sunday and Bank Holidays.

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 Noise from the extraction unit hereby approved shall not exceed 40 dB(A) when measured 1 metre from any residential dwelling at any time.

Reason: In the interests of amenity and in compliance with policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6 Within 3 months of the date of permission, shopfront hereby approved shall be painted black (RAL9005) and retained as such thereafter.

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

7 Prior to the first occupation of the Hot Food Takeaway hereby approved, the grease trap shown on 20072-10 Rev C - Proposed Floor Plans shall be installed and retained and maintained thereafter for its intended use.

Reason: to ensure satisfactory disposal of foul water from the site in accordance with Policy G8 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 5 January 2021



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Signed on behalf of the Council

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.