

Mr David Bitan  
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M25 0JU



**STOCKPORT METROPOLITAN BOROUGH COUNCIL  
DECISION NOTICE**

**Town and Country Planning Act 1990**

**Full Application Planning Application Number  
DC/071289**

<b>Applicant Details:</b> Mr L Seitler BS Charitable Foundation c/o agent	<b>Agent Details:</b> Mr David Bitan Debtal Architecture Ltd 72 Bury New Road Prestwich Manchester M25 0JU
<b>Location</b> 1 Woodford Road Bramhall Stockport SK7 1JN	<b>Description Of Development</b> Change of Use from A1 Retail to A3 Cafe/Restaurant

**PARTICULARS OF DECISION**

The Stockport Metropolitan Borough Council hereby give notice in pursuance of the Town and Country Planning Act 1990 that **FULL PLANNING PERMISSION HAS BEEN GRANTED** for the carrying out of the development described above. The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission, as required by section 91 of the Town and Country Planning Act 1990 and amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development must be carried out in accordance with the application and plans submitted, and subject to the following terms and conditions:

- 1 This permission relates to the following drawings :- DA16047.001, DA16047.002 and Debtal Architecture Planning Statement.

Reason

For the avoidance of doubt and to ensure that the development complies with the following policies saved Policies of the adopted Stockport Unitary Development Plan Review and Policies of the adopted Stockport Core Strategy DPD.

Saved policies of the SUDP Review

PSD2.2 "Service Uses in the Town Centre, District and Large Local Centres

LDF Core Strategy/Development Management policies

CS6 Safeguarding and Strengthening the Service Centre Hierarchy

AS-1 The Vitality and Viability of Stockport's Service Centres  
CS8 Safeguarding and Improving the Environment  
SIE-1 Quality Places  
SIE-3 Protecting, Safeguarding and Enhancing the Environment  
CS9 Transport & Development  
T-1 Transport & Development  
T-2 Parking in Developments  
T-3 Safety & Capacity on the Highway Network

- 2 The use hereby approved shall not commence until an extraction system has been installed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority to show (i) the means of ventilation and the removal of cooking odours and fumes from the premises, (ii) sound attenuation measures associated with ventilation and fume extraction, (iii) the finish of external flues and (iv) a programme of maintenance of the equipment. The premises shall not be opened for trading or used for the preparation of food until the ventilation and extraction measures have been installed in accordance with the approved scheme or at any time when the approved ventilation and extraction measures are not operating in accordance with the approved scheme.

Reason

To ensure that cooking odours are adequately controlled in compliance with SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

- 3 No part of the premises shall be open for trading purposes, nor shall customers shall be present on the premises before 8am or after 10pm on any day of the week.

Reason

In order to minimise the impact of the proposed use upon the amenities of the residents of nearby properties in accordance with policies SIE-1 "Quality Places" and SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.

**Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:**

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 38 and 47 of the revised NPPF published by the Ministry of Housing, Communities and Local Government on 24th July 2018.

Signed:

Dated: 3rd January 2019



Emma Curle - BSc (Hons) MRTPI  
Chief Planning Officer  
For and on behalf of the Corporate Director of Place Management & Regeneration

## **ADDITIONAL INFORMATION**

### **THE FOLLOWING IS STANDARD INFORMATION ONLY**

1. The drawings determined by this notice may be viewed (usually in electronic form) at Fred Perry House, Edward Street, Stockport, by appointment, and are available online on the Planning & Building pages of the Stockport Council website: [www.stockport.gov.uk/planningdatabase](http://www.stockport.gov.uk/planningdatabase)
2. It is your responsibility to ensure that the development is constructed in complete accordance with the approved plans and details together with the requirement to ensure that all conditions applied to this consent are complied with. If any of the conditions require further approval and/or the submission of further details before development starts or use begins (known as pre-commencement planning conditions), the requirements of the condition must be satisfied before a start is made. Failure to construct the development in complete accordance with the approved plans and / or failure to comply with the conditions may make either the permission null and void or the development unauthorised.
3. This decision refers only to the legislation under which the application was made and does not include any decision under any other enactment, by law, order or regulation.
4. The applicant's attention is drawn to the provision of Section 63 of the Greater Manchester Act 1981 which specifies requirements for fire brigade access when plans for the erection or extension of a building are deposited with a District Council in accordance with the Building Regulations.
5. Where your proposal involves building work, your attention is specifically drawn to the need to check with the Building Inspector with regard to the possible requirement for Buildings Regulations Consent.
6. Where applicable, notes on your rights of appeal against the decision are set out on the sheet attached to this decision notice. **The Planning Inspectorate's** details are listed below.

The Planning Inspectorate,  
Customer Support Unit,  
Room 3/15, Eagle Wing,  
Temple Quay House,  
2, The Square,  
Temple Quay,  
Bristol,

Telephone: 0303 444 5000  
Fax: 0117 372 8181  
Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)  
website: [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)



## **APPEALS TO THE SECRETARY OF STATE** [OTHER THAN IN RELATION TO ADVERTISEMENTS]

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal; then you can do so online at [www.Planningportal.gov.uk/pcs](http://www.Planningportal.gov.uk/pcs)

Alternatively you can use a form you can get from:

The Planning Inspectorate, Registry/ Scanning, Temple Quay House, 2, The Square, Temple Quay, Bristol, BS1 6PN; Telephone: 0303 444 5000;  
Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)  
Website: [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

For most types of application you have six months to appeal from the date of the attached Decision Notice. However if the decision involved the refusal of planning permission for a householder application then you have 12 weeks to appeal from the date of the Decision Notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development, or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any Directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a Direction given by him.

### **PURCHASE NOTICES**

If either the local authority or the Secretary of State refuses Permission to develop land, or grants it subject to conditions, the owner may claim he/she can neither put the land to a reasonable beneficial use in its existing state, nor render the land capable of a reasonably beneficial use by the carrying out of any development that has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

### **COMPENSATION**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990.

**Information relating to appeals including forms can be obtained from;**

The Planning Inspectorate,  
Temple Quay House,  
2, The Square,  
Temple Quay,  
Bristol BS1 6PN

Telephone: 0303 444 5000  
Web site: [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)  
Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)

The Planning Portal website: [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)