

TAMESIDE METROPOLITAN BOROUGH

Planning and Building Control, Council Offices, Wellington Road Ashton-under-Lyne OL6 6DL Telephone 0161 342 4460

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant/agent:
Pure Gym Magnum Freeholds Ltd Magnum Property
Nominees 3
C/O Peter Brett Associates
Oxford Place
61 Oxford Street
Manchester
M1 6EQ

Date of Application: 14th July 2014
Date of Decision: 1st October 2014
Application Number: 14/00668/FUL

Particulars of details submitted for approval:

Change of use from A1 (shop) to flexible use A1 and D2 (leisure) and installation of mezzanine

Ashton Retail Park 106 Wellington Road Ashton-Under-Lyne Tameside OL6 6DJ

The Tameside Metropolitan Borough Council hereby gives notice that permission has been granted for the carrying out of the development referred to above, subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: those ref. 1PG01-519 1-100 rev. A and 1PG01-519 2-200 rev. C.

The reasons for the conditions are:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

NOTES FOR APPLICANT:

This permission confers no consent to display advertisements. Any advertising matter which is proposed to be displayed may require separate consent under the Advertisement Regulations 1992. If you are in any doubt about the permissions that may be required for your advertisements please contact the Development Control Manager, Council Offices, Wellington Road, Ashton-under-Lyne (Tel: 0161 342 4460).

REASON FOR GRANTING PLANNING PERMISSION:

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended): 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 NPPF.

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Dated: 1st October 2014

A handwritten signature in black ink, appearing to read 'D. Bourke', is positioned above the printed name and title.

Damien Bourke

Assistant Executive Director - Sustainable Growth, Development and Investment (*Proper Officer*)

THIS PERMISSION IS ONLY FOR THE PURPOSES OF THE REQUIREMENTS OF THE TOWN AND COUNTRY PLANNING ACTS AND IS NOT AN APPROVAL UNDER THE BUILDING REGULATIONS OR FOR ANY OTHER STATUTORY PROVISION

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NOTES

a) Appeals to the Secretary of State

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

If you want to appeal then you must do so within 6 months of the date of the decision notice. Appeals must be using a form which you can get online at www.planningportal.gov.uk/pcs or from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

If your appeal relates to a decision to refuse planning permission for a **householder application**, then you must appeal within 12 weeks of the date of the decision.

If your appeal relates to a decision to refuse planning permission for a **minor commercial application** then you must appeal within 12 weeks of the date of this notice. A minor commercial application is for development currently within Use Class A1, A2, A3, A4, or A5 and generally only applies for applications to alter the shopfront. The definition excludes change of use, a change to the number of units in a building, development that's not wholly at ground floor level, or development that would increase the gross internal area of a building.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems 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.

b) Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which 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 interest in the land in accordance with the provisions of the Town and Country Planning Act 1990.

c) 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. These circumstances are set out in Section 120 of the Town and Country Planning Act 1990.

IMPORTANT

COMPLIANCE WITH CONDITIONS

- Enclosed is your planning approval. It may contain conditions that you must comply with.
- Before starting work please read the conditions and understand their requirements and restrictions.
- Some conditions require action **before** the start of the development e.g. agreement of external materials. These conditions **must** be formally discharged before work commences.
- To apply for discharge of planning conditions please use the application form available to download here:
<http://www.tameside.gov.uk/planning/applications/newbuild>
A fee is payable, please see here for current fees:
<http://www.tameside.gov.uk/planning/fees>
- If you fail to discharge and/or comply with the conditions, this may lead to enforcement action being taken against the development.
- It is in your interests to demonstrate that conditions have been discharged and/or complied with. Failure to do so could cause difficulties if the property is sold or transferred.